

BUILDING STANDARDS COMMISSION

2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959



February 15, 2011

John Mullins, Building Official
Building and Planning Department
County of San Mateo, Town of Hillsborough
1600 Floribunda Ave.
Hillsborough, CA 94010

Dear Mr. Mullins:

This letter is to acknowledge receipt on December 3, 2010 of the Town of Hillsborough submittal pertaining to Ordinance No. 690 with findings and is acceptable for filing. Your filing attests to your understanding that according to Health and Safety Code Section 17958.7 no modification or change to the California Building Standards Code shall become effective or operative for any purpose until the finding and the modification or change have been filed with the California Building Standards Commission (the Commission).

This letter attests only to the filing of these local modifications with the Commission, which is not authorized by law to determine the merit of the filing.

As a reminder, local modifications are specific to a particular edition of the Code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the Code is published. In addition, should you receive Fire Protection District ordinances for ratification, it is required to submit the ratified ordinances to the Department of Housing and Community Development [H&SC Section 13869.7(c)], attention State Housing Law Program Manager, rather than the Commission.

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

A handwritten signature in black ink, appearing to read 'Enrique M. Rodriguez'.

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings

TOWN OF HILLSBOROUGH
SAN MATEO COUNTY

Building & Planning Department
(650) 375-7411
Fax (650) 375-7415



1600 Floribunda Avenue
Hillsborough
California 94010

November 29, 2010


Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Enclosed please find a copy of Ordinance 690 amending Chapter 15- Building and Construction of the Hillsborough Municipal Code and adopting the 2010 California Code of Regulation Title 24 Parts 1-6 and 8-12 including the adoption by reference of the 2009 international fire code and the 2009 international wildland urban interface code.

Also included within The Hillsborough Ordinance 690 are more restrictive building standards than those contained in the California Building Standards Code (California Code of Regulations Title 24). The changes were made due to our local climatic, geological, or topographical conditions and are consistent with the requirements to make local changes in the Health and Safety Code Section 18941.5(b). Findings are included to support those specific changes per the requirements in the Health and Safety Code Section 17958.7(a).

Please contact me if you have any questions. Direct phone number (650) 375-7487 email jmullins@hillsborough.net

Sincerely,


John Mullins
Building Official

Enclosures:

1. Hillsborough Ordinance No. 690
- cc City Clerk

RECEIVED
BUILDING STANDARDS COMMISSION
NOV 30 10 11 AM '10

ORDINANCE NO. 690 _____

AN ORDINANCE OF THE TOWN OF HILLSBOROUGH ADDING NEW CHAPTERS 15.03, AND AMENDING CHAPTERS 15.02, 15.04, 15.06, 15.07 15.08, 15.10, 15.12 15.16 15.19 15.20, AND 15.21 , AND DELETING CHAPTER 15.56 OF THE HILLSBOROUGH MUNICIPAL CODE AND ADOPTING BY REFERENCE PORTIONS OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS

The City Council of the Town of Hillsborough finds and ordains as follows:

Section 1. Construction codes are updated periodically by model code groups. These codes are reviewed by California agencies and modified as appropriate, then adopted by each agency. Local jurisdictions such as Hillsborough may further amend or modify the versions of these codes adopted by state agencies to address local issues; however, local jurisdictions may only adopt amendments that are more restrictive than the versions adopted by state agencies and any amendments to the state versions of these codes must be justified by climatic, geological, topographical or environmental conditions within the local jurisdiction. The city council finds that certain amendments to the state versions of these codes are necessitated by the specific climatic, geographical and topographical conditions within Hillsborough, including rainfall levels, soils conditions, hilly topography, and earthquake potential.

Section 2. The Hillsborough building department and the central county fire department have worked with other local jurisdictions within San Mateo County and California to establish consistent standards to minimize the impact and costs that varying standards would have on development and redevelopment of residential, commercial and industrial buildings. The city council further finds that high building standards, effective fire prevention, and containment programs are necessary to protect residents' health, welfare, and safety.

Section 3. For the purposes of this ordinance, the city council of the town of Hillsborough hereby makes the following findings, as required by Section 17958.7 of the California Health and Safety Code:

“The City Council finds and declares that there are distinct and unique characteristics of the town of Hillsborough with regard to local climatic, geological, topographical or environmental conditions which make it desirable for reasons of public health, safety, and welfare to adopt the provisions of this ordinance, which provide certain more stringent standards than those which would otherwise apply under the

Title 24, 2010 editions of the California Code. The below listed findings apply to all of the changes and modifications made to the California Residential, Build, Fire and Green Building Code, 2010 editions, by this ordinance. Specifically, the town of Hillsborough finds as follows:

I. CLIMATIC CONDITIONS.

In the town, normally the months of May through September have no rain and abundant sun, drying out the great quantities of vegetation present everywhere in town and providing an extensive fuel source for fires.

II. GEOLOGICAL CONDITIONS.

The town's western boundary is within a few miles of the San Andreas Fault, one of the major seismic faults running through California. An earthquake along the San Andreas Fault, or along any of the other numerous seismic faults elsewhere in the Bay Area, could break gas, electrical, and water lines, increasing the chance of fires and impairing the ability to fight them. Experts have cautioned that one or more major earthquakes in the Bay Area, affecting the whole region, are inevitable and will probably happen sometime within the next several decades.

III. TOPOGRAPHICAL CONDITIONS.

The town's hilly topography, numerous cul-de-sacs, winding narrow roads, numerous canyons, high proportion of landscaped areas to hardscape areas within the developed portions of the town, and substantial areas of open space with dense, natural vegetation all mean that there are substantial areas throughout town where urban and wildland areas abut and which have the potential for fires that could spread quickly over a wide area and threaten many homes and inhabitants. The unique topography and soil conditions also add to storm water and erosion issues.

IV. ENVIRONMENTAL CONDITIONS

The town of Hillsborough Climate Action Committee and Green Building Task force have worked in concert to design a green building ordinance that will encourage green building measures and design in construction, operation, and maintenance of buildings for new and remodeled residential and nonresidential construction projects in Hillsborough. The measures will establish a higher energy efficiency standards, encourage conservation of natural resources, reduced waste in landfills generated by construction projects, and promote a healthier indoor environment to enhance public health and welfare. The use of green building practices that employ higher standards above Title 24 energy requirements, as stated in the towns climate action plan, will further improve residential and commercial building efficiencies and reduce operating and maintenance costs of buildings.

Title 15

Building and Construction

SECTION	Change	Chapters:	Description
4	Updated	15.02	Administrative code
5	New code	15.03	Residential Code
6	Updated	15.04	Building Code
	No change	15.05	Housing Code and Uniform Code for the Abatement of Dangerous Buildings
7	Updated	15.06	Historic Building Code
8	Updated	15.07	Existing Building Code
9	Updated	15.08	Electrical Code
10	Replaced	15.10	Energy Code
11	Updated	15.12	Mechanical Code
12	Updated	15.16	Plumbing Code
	No Change	15.18	Recycling of Construction and Demolition Debris
	Replaced	15.19	Green Building Code
13	Updated	15.20	Fire Code
14	Updated	15.21	Wildland-Urban Interface
	No Change	15.24	Grading
	No Change	15.26	Construction Management
	No Change	15.28	Building Security
	No Change	15.28	Time Limitations for Completion of Constriction
	No Change	15.32	Wireless Communications Facilities
	No Change	15.36	Towers, Aerials, Antennae, Windmills and Solar Panels
	No Change	15.40	Construction Trailers
	No Change	15.44	Floodplain Management
	No Change	15.60	Building Permits and Public Improvements
	No Change	15.70	Demolition Permits
15	No Change	15.80	Reference Standards

Section 4. Chapter 15.02 is amended to the Hillsborough Municipal Code as follows:

Chapter 15.02

Administrative Code

Sections:

15.02.010	Purpose
15.02.020	Adoption
15.02.030	Administrative Code
15.02.040	(Reserved)
15.02.050	(Reserved)
15.02.060	(Reserved)
15.02.070	(Reserved)
15.02.080	(Reserved)
15.02.090	Amendment procedure
15.02.100	Promulgation of updated editions of the Administrative Code

15.02.010 Purpose

The purpose of this chapter is to provide for the administration and enforcement of the technical codes adopted by this jurisdiction. The provisions of this code shall serve as the administrative, organizational and enforcement rules and regulations for the technical codes which regulate site preparation and construction, alteration, moving, demolition, repair, use and occupancy of buildings, structures and building service equipment within this jurisdiction and to provide for inspections, issuance of permits, collection of fees, and imposition of penalties for violations, and to adopt uniform rules, regulations, and standards in respect thereto.

15.02.020 Adoption

A. The rules, regulations, and standards printed in the Administrative Code, 2010 Edition, as incorporated by reference in the California Building Standards Code are hereby adopted as the rules, regulations, and standards for the town of Hillsborough as to all matters contained therein, except as otherwise provided herein.

B. One copy of the Administrative Code shall at all times be kept on file at the town of Hillsborough building department. The copy shall be accompanied by copies of Hillsborough Municipal Code Chapter 15.02 (as well as any additional subsequent amendments) to show the town of Hillsborough amendments to the Administrative Code

C. In the event there is any conflict or inconsistency between the provisions of the Hillsborough Municipal Code and the Administrative Code when applied to any particular case, that requirement which establishes the higher degree of safety shall be complied with unless otherwise specifically stated in the Hillsborough Municipal Code.

D. No provision of the Administrative Code, as amended hereby, shall be deemed to supersede any other provision of the Hillsborough Municipal Code.

- 15.02.030 Amendment of Administrative Code - None
- 15.02.040 (Reserved)
- 15.02.050 (Reserved)
- 15.02.060 (Reserved)
- 15.02.070 (Reserved)
- 15.02.080 (Reserved)

15.02.090 Amendment procedure

When, in the judgment of the building department, it is reasonably necessary to amend the provisions of the Administrative Code due to local climatic, geological, topographical, or environmental conditions, the building official shall prepare and submit the proposed amendments to the city council for consideration at the next regularly scheduled city council meeting. Before adopting any changes or modifications in the requirements contained in the provisions published in the Administrative Code, or in any other regulations adopted hereunder, the city council shall make an express finding that such modifications or changes are reasonably necessary because of local climatic, geological, topographical, or environmental conditions. Such finding shall be made available as a public record. Upon approval by the city council and filing of the city council's findings with the State Department of Housing and Community Development, such amendments shall be added to and become a part of the provisions of this chapter.

15.02.100 Promulgation of updated editions of the Administrative Code

As successive editions of the Administrative Code are promulgated and incorporated by reference in the California Building Standards Code, the Building Department, under the guidance and direction of the building official, shall review the provisions of the new code in order to determine whether they are consistent with the provisions of the Administrative Code then in force as modified by the provisions of this chapter. The building official shall submit a list of recommendations with respect to such changes (if any) to the city council. Upon review and adoption by the city council, according to the procedure set above, such revised version of the Administrative Code, together with all amendments thereto which are recommended by the building official and/or required by the provisions of this chapter, shall govern all buildings and construction within town limits.

Section 5 Chapter 15.04 is Adding to the Hillsborough Municipal Code as follows:

Chapter 15.03

RESIDENTIAL CODE

Sections:

15.03.010	Purpose
15.03.020	Adoption
15.03.030	Amendment of Residential Code
15.03.040	(Reserved)
15.03.050	(Reserved)
15.03.060	(Amended) Work exempt from permit. 105.2
15.03.070	(Amended) Schedule of Permit Fees 108.2
15.03.080	(Added) Contractor's bond.
15.03.090	(Amended) Certificate issued. 110.1.1
15.03.100	(Amended) Fire sprinklers in garages and carports
15.03.110	(Amended) One- and two-family dwellings automatic fire systems
15.03.111	(Amended) Required sprinkler locations
15.03.112	(Added) Additions and alterations
15.03.113	(Amended) All sprinklered buildings
15.03.114	(Reserved)
15.03.115	(Reserved)
15.03.116	(Reserved)
15.03.120	(Reserved)
15.03.130	(Amended) Roofing covering materials 902.1
15.03.140	(Amended) Roof covering within all other areas 902.1.3
15.03.150	(Added) Roof Drainage. 902.1.4.2
15.03.160	(Added) Roof and Surface Drainage 902.1.4.3
15.03.170	(Reserved)
15.03.180	(Reserved)
15.03.190	(Added) Site Maintenance 105.10
15.03.200	(Reserved)
15.03.205	(Reserved)
15.03.210	(Reserved)
15.03.220	(Reserved)
15.03.230	(Added) Office of Emergency Services (OES). placards
15.03.240	Amendment procedure
15.03.250	Promulgation of updated editions of the California Residential Code

15.03.010 Purpose

The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, access to persons with the disabilities, sanitation, adequate lighting and ventilation, and energy conservation; safety to life and property from fire and other hazards attributed to the built environment; and to provide safety to fire fighters and emergency responders during emergency operations.

15.03.020 Adoption of California Residential Code, Title 24, Part 2.5

The rules, regulations and requirements published by the International Code Council (ICC) under the title "2009 International Residential Code Volume " and adopted as the "2010 California Residential Code including Appendix Chapters G, H, J, N, O, P, and Q and the State of California amendments thereto, are hereby adopted as and for the rules, regulations, and standards for the town of Hillsborough as to all matters contained therein except as herein otherwise provided.

A. One copy of the 2010 California Residential Code shall at all time be kept on file in the town hall in the building official's office. It shall be accompanied by one copy of Hillsborough Municipal Code Chapter 15.03 (as well as any additional subsequent amendments) to show the amendments to the 2010 California Residential Code.

B. In the event of any conflict or inconsistency between the provisions of the Hillsborough Municipal Code and the 2010 California Residential Code, when applied to any particular case, that requirement which establishes the higher degree of safety shall be complied with unless otherwise stated in the Hillsborough Municipal Code.

C. No provision of the 2010 California Residential Code, or as amended hereby, shall be deemed to supersede any other provision of the Hillsborough Municipal Code.

15.03.030 Amendment of Residential Code

The 2010 California Residential Code as adopted by this chapter is hereby amended, in its application to the town as set forth in Sections 15.03.040 through 15.03.230.

15.03.040 Reserved

15.03.050 Reserved

15.03.060 Work exempt from permit

Section 105.2 Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction:

15.03.070 Schedule of Permit Fees

Section 108.2 Schedule of Permit Fees shall be as follows:

A. A fee shall be set forth in the town of Hillsborough's master fee schedule, plus any additional fees which may be established or mandated by state or federal law or city ordinance.

B. The value to be used in computing the building permit fee, the plan review fee and other fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems, etc., and any other permanent construction or equipment.

C. A fee for each permit shall be paid as required, in accordance with the master fee schedule, including subsection (C) (1) and (C) (2) of this section

- 1) Whenever a permit fee is required by this Chapter to be paid prior to starting work and such work is started prior to obtaining a permit, the scheduled fee shall be the applicable permit fee as set forth in Table No. 1-A found in the master fee schedule, plus an additional amount of up to ten times the applicable permit fee.

The exact amount shall be set by the building official in the amount that will, in his or her good faith estimate, recover the cost of town staff time expended to deal with the problems caused by the unpermitted work.

- 2) If a stop work order is issued, it may not be lifted until a permit reactivation fee has been paid in the amount of not less than two hundred fifty dollars up to one thousand dollars, the exact amount to be set by the building official in the amount that will, in his or her good faith estimate, recover the cost of town staff time expended to deal with the problems involved in the issuance of the stop work order.
- 3) A document imaging charge shall be charged upon submission of every application for a combination, building, electrical, plumbing, mechanical, grading and or encroachment permit.

15.03.080 Contractor's bond

Section 15.03.80 is added to read as follows:

If a contractor's bond prior to the issuance of any permit for a new residence or other work to which this section is applicable in the opinion of the building official, the applicant shall file with the building official a performance, maintenance or completion bond in the amount of the estimated cost of the work allowed or required under the provisions of the permit. The purpose and intent of the bond is to insure the completion of all work including the installation of any required curbs, gutter, street, sewer, sewer laterals, storm sewers and water mains; the repair of any damage to any of the above; and the removal of all debris from streets, gutters, parking strips areas, and the job site. Upon completion of the permitted work, such bond shall be exonerated, less any charges against the applicant for any work required to be done or contracted to be done by the town to complete the work.

15.03.090 Certificate issued

Section 110.1.1 added to read as follows:

No final inspection by the building official as to all or any portion of a development shall be deemed complete, and no certificate of occupancy or temporary certificate of occupancy shall be issued unless and until the installation of the prescribed fire protection facilities and access ways have been completed and approved by the fire chief or designee

15.03.100 Fire sprinklers in garages and carports

Section R309.6 Fire Sprinklers Exception for fire sprinklers in garages and carports is deleted in its entirety.

15.03.110. One- and two-family dwellings automatic fire systems

Section R312.2. Exception is deleted and replaced with the following paragraph: One- and two-family dwellings automatic fire systems. An automatic residential fire sprinkler system is required when additions and/or alterations to existing buildings with a total building floor area more than 2,000 square feet or more than two stories in height, and/or when additions or alterations for which a building permit is required exceeds 1500 square feet in area or 20% of the total footage for of buildings over 7500 square feet.

15.03.111 Required sprinkler locations

Section R313.3.1.1 is deleted and replaced with the following:

1. Sprinklers shall be installed to protect all areas of a dwelling unit.

Exceptions:

- a. Clothes closets, linen closets and pantries not exceeding 24 square feet (2.2m^2) in area, with the smallest dimension not greater than 3 feet (915 mm) and having wall and ceiling surfaces of gypsum board.
- b. Detached carports and garages less than 2,000 square feet in area and separated from residential buildings complying with CRC R302.1.
2. Sprinkler coverage shall be provided in the following locations:
 - a. Attic access openings
 - b. Areas of attics and crawl spaces containing storage, mechanical and/or electrical equipment.
3. Inspector Test Valves shall be provided for each system and located the furthest point away from the sprinkler riser.

15.03.112 Additions and Alterations

Section R313.3.2.7 is added to read as follows:

1. The standard for calculating the size of addition and/or alteration for determining the threshold for fire sprinkler systems shall be by the following:
 - a. The square footage of every room being added or altered shall be included in the calculation of total square footage of addition or alteration.
 - b. The entire square footage of an individual room shall be added when at least fifty percent (50%) or greater of the linear length of interior wall sheeting or ceiling within the room is new. Removed or replaced windows, doors, and opening are excluded from the calculation.
 - c. The entire square footage of an individual room shall be considered added or altered when at least fifty percent (50%) or greater of the linear length of concrete, brick or masonry walls within the room is new. Removed or replaced windows, doors, and opening are excluded from the calculation.
2. The size or cost of additions and alterations used in calculating the size or replacement cost value formula shall not be cumulative with regard to individual additions or alterations in a building unless either of the following two circumstances apply:
 - a. Where more than one (1) addition or alteration for which building permits are required are made within a two (2) year period and said additions or alterations are made to the premises by the same occupant. In such circumstances, the sum of the size or costs of these additions or alterations during this two (2) year period shall be aggregated for the purpose of calculating the size or replacement cost value formula; or
 - b. Where more than one (1) addition or alteration for which building permits have been issued have not yet received final Building Division approval. In such circumstances, the sum of these issued but not yet finalized building additions' or alterations' sizes or construction costs shall be aggregated for the purpose of calculation of the size or replacement cost value formula.
3. The cost of additions and alterations used in calculating the replacement cost value formula shall be exclusive of the cost to design and install an automatic fire

sprinkler extinguishing system pursuant to this section; building roof repair/replacement; building heating and/or cooling unit repair/replacement; and any other federal, state and local construction code upgrade requirements including but not limited to the seismic retrofit requirements, asbestos, and other hazardous material abatement.

15.03.113 All sprinklered buildings

Section R313.3.2.7 is added to read as follows:

When a building is partially retrofitted with an approved automatic sprinkler fire extinguishing system pursuant to this section, the building fire extinguishing system retrofit shall be completed throughout the unprotected building interior areas within two (2) years from completing the initial partial retrofit.

15.03.120 Reserved

15.03.130 Minimum roof classification

Section 902.1 is amended to read as follows:

All roof assemblies shall be Class A. All roof assemblies and roof coverings shall be tested in accordance with ASTM E 108 or UL 790. In addition, fire-retardant-treated wood roof coverings shall be tested in accordance with ASTM D 2898. The minimum roof coverings installed on buildings shall comply with the Table 902.1 as amended.

15.03.140 Roof covering within all other areas

Section 902.1.3 is amended to read as follows:

Roof covering within all other areas shall be Class A. The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class A.

15.03.150 Roof drainage

Section 902.1.4.2 is added to read as follows:

In all zones, water from the roof of any building and from any paved area which would flow by gravity over a public right of way shall be carried by means of conductors under the parking strip and through the curb to the gutter, or other approved location.

15.03.160 Roof and surface drainage

Section 902.1.4.3 is added to read as follows:

No storm water from any roof, impervious surfaces, point discharge or from any paved or developed area shall be allowed to drain to adjacent properties nor shall this water be connected to the city's sanitary sewer system. Regardless of the slope of the source property, such water shall drain to either artificial or natural storm drainage facilities by gravity or pumping.

15.03.170 Reserved

15.03.180 Reserved

15.03.190 Site maintenance 105.10

Section 105.10 Site Maintenance is added to read as follows:

All persons to whom permits are issued pursuant to any provision of this code shall, as a condition to the continuing validity of the permit, maintain the subject building site with proper parking, sanitary facilities, material storage, dust and erosion controls on the property site, including, without limitation, all structures thereon, free of all open trenches, tripping hazards, broken ware, empty cans, rubbish, garbage, metal pieces or parts, and all other refuse (collectively "debris"). The presence of debris is contrary to the purposes and intent of this code and is hereby deemed to pose a threat to the health, property, and public welfare of the inhabitants of the town of Hillsborough. Violations of the duty to maintain building sites as described herein shall be punishable in the same manner as any other violation of this code.

15.03.200 Reserved

15.03.210 Reserved

15.03.220 Reserved

15.03. 230 California Office of Emergency Services (OES) Placards

The placards provided by the California Office of Emergency Services (OES). The placards are to be used during a "Post Disaster Safety Assessment" performed by the city building staff in the aftermath of any disaster. The post disaster assessment placards carry the weight of law per the direction of the California Office of Emergency Services

15.03.240 Amendment procedure

When, in the judgment of the building department, it is reasonably necessary to amend the provisions of the California Residential Code due to local climatic, geological, topographical or environmental conditions, the building official shall prepare and submit the proposed amendments to the city council for consideration at the next regularly scheduled city council meeting. Before adopting any changes or modifications in the requirements contained in the provisions published in the California Residential Code, or in any other regulations adopted hereunder, the city council shall make an express finding that such modifications or changes are reasonably necessary because of local climatic, geological, topographical or environmental conditions. Such finding shall be made available as a public record. Upon approval by the city council and filing of the city council's findings with the State Department of Housing and Community Development, such amendments shall be added to and become a part of the provisions of this chapter.

15.03.250 Promulgation of updated editions of the California Residential Code.

As successive editions of the California Residential Code are promulgated and incorporated by reference in the California Building Standards Code, the building department, under the guidance and direction of the building official, shall review the provisions of the new code in order to determine whether they are consistent with the provisions of the California Residential Code then enforce as modified by the provisions of this chapter. The building official shall submit a list of recommendation with respect to such changes (if any) to the city council. Upon review and adoption by the city council, according to the procedure set out in Section 15.03.240, such revised version of the California Residential Code, together with all amendments thereto which are recommended by the building official and/or required by the provisions of this chapter, shall govern all buildings and construction within town limits.

Section 6. Chapter 15.04 is amended to the Hillsborough Municipal Code as follows:

Chapter 15.04

BUILDING CODE

Sections:

15.04.010	Purpose
15.04.020	Adoption
15.04.030	Amendment of Building Code— Generally
15.04.040	(Reserved)
15.04.050	(Reserved)
15.04.060	(Added) Work Exempt from Permit. 105.2
15.04.070	(Amended) Schedule of Permit Fees 108.2
15.04.080	(Added) Contractor's Bond
15.04.090	(Amended) Certificate of Occupancy 111.1.1
15.04.100	(Amended) Fire Plan Check 107.2.1.1
15.04.101	(Amended) Address Number 501.2.1
15.04.102	(Amended) Multi-Tenant Buildings Address Number 501.1.2.2
15.04.103	(Amended) Rear Addressing 501.1.2.3
15.04.110	(Amended) Additions and Alterations 903.1.2
15.04.111	(Amended) Sprinklered Buildings 903.1.3
15.04.112	(Amended) Where Required 903.2
15.04.113	(Amended) Existing Building and Structures. 903.2.1
15.04.114	(Amended) Inspector's Test. 903.3.1.4
15.04.115	(Amended) Additional Residential Sprinkler Locations. 903.3.1.5
15.04.120	(Reserved)
15.04.130	(Amended) Minimum roof classification section 1501
15.04.131	(Amended) Roof Minimum fire retardant classes Table 1505.1a
15.04.132	(Amended) Roof covering within all other areas 1505.1.3
15.04.133	(Added) Roof Drainage 1503.4.1
15.04.134	(Added) Roof and Surface Drainage 1503.4.2
15.04.140	(Reserved)
15.04.150	(Reserved)
15.04.160	Deleted
15.04.170	(Reserved)
15.04.180	(Reserved)
15.04.190	(Added) Maintenance 3401.2.1
15.04.200	(Reserved)
15.04.205	(Reserved)
15.04.210	(Amended) Additions, Alterations or Repairs 3403
15.04.220	(Reserved)
15.04.230	(Added) Office of Emergency Services (OES) Placards
15.04.240	Amendment procedure.
15.04.250	Promulgation of updated editions of the California Building Code
15.04.010	Purpose

The purpose of this chapter is to regulate the construction, alteration, and repair of structures; including materials and design, and to provide for inspections, issuance of permits, collection of fees, imposing of penalties or violations, and adopting uniform rules, regulations and standards in respect thereto.

15.04.020 Adoption of California Building Code, California Administrative Code Title 24, Part 2, Volumes 1 and 2

The rules, regulations and requirements published by the International Code Council (ICC) under the title "2009 International Building Code Volume " and adopted as the "2010 California Building Code Volumes 1 and 2" including Appendix Chapter G and Appendix Chapter J and the State of California amendments thereto, are hereby adopted as and for the rules, regulations, and standards for the town of Hillsborough as to all matters contained therein except as herein otherwise provided.

D. One copy of the 2010 California Building Code Volumes 1 and 2 shall at all times be kept on file in the town Hall in the building official's office. It shall be accompanied by one copy of Hillsborough Municipal Code Chapter 15.04 (as well as any additional subsequent amendments) to show the amendments to the 2010 California Building Code Volumes 1 and 2.

E. In the event of any conflict or inconsistency between the provisions of the Hillsborough Municipal Code and the 2010 California Building Code Volumes 1 and 2, when applied to any particular case, that requirement which establishes the higher degree of safety shall be complied with unless otherwise stated in the Hillsborough Municipal Code.

F. No provision of the 2010 California Building Code Volumes 1 and 2, or as amended hereby, shall be deemed to supersede any other provision of the Hillsborough Municipal Code.

15.04.030 Amendment of Building Code

The 2010 California Building Code Volumes 1 and 2 as adopted by this chapter is hereby amended, in its application to the town as set forth in Sections 15.04.040 through 15.04.230.

15.04.040 Reserved

15.04.050 Reserved

15.04.060 Work exempt from permit.

Section 105.2. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction:

15.04.070 Schedule of permit fees section

Section 108.2 Permit Fees

D. A fee shall be set forth in the town of Hillsborough's master fee schedule, plus any additional fees which may be established or mandated by state or federal law or city ordinance.

E. The value to be used in computing the building permit fee, the plan review fee and other fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air

conditioning, elevators, fire extinguishing systems, etc., and any other permanent construction or equipment.

F. A fee for each permit shall be paid as required, in accordance with the master fee schedule, including subsection (C) (1) and (C) (2) of this section

- 4) Whenever a permit fee is required by this Chapter to be paid prior to starting work and such work is started prior to obtaining a permit, the scheduled fee shall be the applicable permit fee as set forth in Table No. 1-A found in the master fee schedule, plus an additional amount of up to ten times the applicable permit fee. The exact amount shall be set by the building official in the amount that will, in his or her good faith estimate, recover the cost of town staff time expended to deal with the problems caused by the unpermitted work.
- 5) If a stop work order is issued, it may not be lifted until a permit reactivation fee has been paid in the amount of not less than two hundred fifty dollars up to one thousand dollars, the exact amount to be set by the building official in the amount that will, in his or her good faith estimate, recover the cost of town staff time expended to deal with the problems involved in the issuance of the stop work order.
- 6) A document imaging charge shall be charged upon submission of every application for a combination, building, electrical, plumbing, mechanical, grading and or encroachment permit.

15.04.080 Contractor's bond

Section 15.04.80 is added to read as follows: If a contractor's bond prior to the issuance of any permit for a new residence or other work to which this section is applicable in the opinion of the building official, the applicant shall file with the building official a performance, maintenance or completion bond in the amount of the estimated cost of the work allowed or required under the provisions of the permit. The purpose and intent of the bond is to insure the completion of all work including the installation of any required curbs, gutter, street, sewer, and water; the repair of any damage to any of the above; and the removal of all debris from streets, gutters, sidewalk areas, and job site. Upon completion of the permitted work, such bond shall be exonerated, less any charges against the applicant for any work required to be done or contracted to be done by the town to complete the work.

15.04.090 Certificate of Occupancy

Section 111 is amended and Section 111.1.1 is added to read as follows: No final inspection by the building official as to all or any portion of a development shall be deemed complete, and no certificate of occupancy or temporary certificate of occupancy shall be issued unless and until the installation of the prescribed fire protection facilities and access ways have been completed and approved by the fire chief.

15.04.100 Fire Plan Check

Section 107 is amended and Section 107.2.1.1 is added to read as follows: When required by the fire code official, plans submitted to the building official for a permit

shall be reviewed by the fire chief to determine compliance with the California Fire Code and the International Fire Code. Upon review a written report shall be returned to the building official listing deficiencies or compliance with the Code.

15.04.102 Address Number

Sections 501.2 is deleted and Section 501.2.1 is added to read as follows:

Address Number. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Said numbers shall be either internally or externally illuminated in all new construction. Size of numbers shall be as follows:

1. Minimum of one-half-inch ($\frac{1}{2}$ ") stroke by four inches (4") high
2. When the structure is thirty-six (36) to fifty (50) feet from the street or fire apparatus access, a minimum of one-half-inch ($\frac{1}{2}$ ") stroke by six inches (6") high is required.
3. When the structure is more than fifty (50) feet from the street or fire apparatus access, a minimum of one-inch (1") stroke by nine inches (9") high is required.

15.04.102 Multi-Tenant Buildings Address Number

Section 501.2 is amended and Section 501.1.2.2 is added to read as follows: Multi-Tenant Buildings Address Number. Numbers or letters shall be designated on all occupancies within a building. Size shall be one-half inch ($\frac{1}{2}$ ") stroke by four inches (4") high and on a contrasting background. Directional address numbers or letters shall be provided. Said addresses or numbers shall be posted at a height no greater than 5 feet, 6 inches (5' 6") above the finished floor and shall be either internally or externally illuminated in all new construction.

15.04.103 Rear Addressing

Section 501.2 is amended and Section 501.1.2.3 is added to read as follows: When required by the chief, approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the fire apparatus road at the back of a property or where rear parking lots or alleys provide and acceptable vehicular access. Number stroke and size shall comply with 501.2.

15.04.110 Additions and Alterations

[F] Section 903.1 in amended and Section 903.1.2 is added to read as follows: The standard for determining the size of addition and/or alteration for determining the threshold for fire sprinkler systems shall be determined by the following:

1. The square footage of every room being added or altered shall be included in the calculation of total square footage of addition or alteration.
2. The entire square footage of an individual room shall be considered added or altered when at least fifty percent (50%) or greater of the linear length of interior wall sheeting or ceiling within the room is new, removed, or replaced. Removed or replaced windows, doors, and opening are excluded from the calculation.
3. The entire square footage of an individual room shall be considered added or altered when at least fifty percent (50%) or greater of the linear length of concrete, brick or masonry walls within the room is new, removed, or replaced. Removed or replaced

windows, doors, and opening are excluded from the calculation.

15.04.111 Sprinklered Buildings

[F] Section 903.1 is amended and Section 903.1.3 is added. The following provisions apply to all sprinklered buildings:

1. The size or cost of additions and alterations used in calculating the size or replacement cost value formula shall not be cumulative with regard to individual additions or alterations in a building unless either of the following two circumstances apply:
 - a. Where more than one (1) addition or alteration for which building permits are required are made within a two (2) year period and said additions or alterations are made to the premises of the same occupant. In such circumstances, the sum of the size or costs of these additions or alterations during this two (2) year period shall be aggregated for the purpose of calculating the size or replacement cost value formula; or
 - b. Where more than one (1) addition or alteration for which building permits have been issued have not yet received final Building Division approval. In such circumstances, the sum of these issued but not yet finalized building additions' or alterations' sizes or construction costs shall be aggregated for the purpose of calculation of the size or replacement cost value formula.
2. When a commercial building is partially retrofitted with an approved automatic sprinkler fire extinguishing system pursuant to this section, the building owner shall complete the fire extinguishing system retrofit throughout the unprotected building interior areas within six (6) years of completing the initial partial retrofit or within every tenant space where a building permit is obtained, whichever is less.
3. When a residential building is partially retrofitted with an approved automatic sprinkler fire extinguishing system pursuant to this section, the building fire extinguishing system retrofit shall be completed throughout the unprotected building interior areas within two (2) years from completing the initial partial retrofit.

15.04.112 Where required

[F] Section 903.2 is deleted and replaced as follows: Approved automatic fire sprinkler systems shall be installed in all new buildings and structures. In addition, approved automatic fire sprinkler systems shall be provided in locations described in Sections 903.2.1 through 903.2.12.

15.04.113 Existing Building and Structures

[F] Section 903.2.1 is added to read as follows: All existing buildings and structures shall be retroactively protected by an approved automatic extinguishing system when the following conditions exist:

- a. Commercial buildings with a total building floor area in excess of 2,000 square feet or more than two stories in height, and when additions or alterations for which a building permit is required will exceed 1500 square feet in area.
 - b. Residential one- and two-family dwellings and structures with a total building floor area in excess of 2,000 square feet or more than two stories in height, and when additions or alterations for which a building permit is required will exceed 1500 square feet in area.
- Exceptions:

1. Additions or alterations of commercial buildings that do not exceed 20% of the entire completed building as defined by the Building Valuation Data (BVD) in the most

recent edition of the Building Safety Journal® as published by the International Code Council (ICC)

2. The cost of additions and alterations used in calculating the replacement cost value formula shall be exclusive of the cost to design and install an automatic fire sprinkler extinguishing system pursuant to this section; building roof repair/replacement; building heating and/or cooling unit repair/replacement; and any other federal, state and local construction code upgrade requirements including but not limited to the seismic retrofit requirements, asbestos, and other hazardous material abatement.

15.04.114 Inspector's Test

Section 903.3.1.4 is added to read as follows: Inspector Test Valves shall be provided for each system and located the furthest point away from the sprinkler riser.

15.04.115 Additional Residential Sprinkler Locations.

Section 903.3.1.5 is added to read as follows: The installation of a residential fire sprinkler system shall conform to the following:

1. Sprinklers shall be required in all restrooms, bathrooms, powder rooms, and toilet rooms regardless of their size.

2. Sprinklers shall be required throughout carports and garages.

Exception: Detached carports and garages less than 2,000 square feet in area and separated from residential buildings complying with Section 503.1.2 of the building code and assuming a property line between all other structures.

3. Sprinkler coverage shall be provided in the following locations:

a. Attic access openings

b. Areas of attics and crawl spaces containing storage, mechanical and/or electrical equipment.

15.04.110 Reserved

15.04.120 Reserved

15.04.130 Minimum roof classification section

Section 1505.1 is amended to read as follows: All roof assemblies shall be Class A. All roof assemblies and roof coverings shall be tested in accordance with ASTM E 108 or UL 790. In addition, fire-retardant-treated wood roof coverings shall be tested in accordance with ASTM D 2898. The minimum roof coverings installed on buildings shall comply with the Table 1505.1 as amended.

15.04.131 Roof Minimum fire retardant classes

Table No. 1505.1 is amended to read as follows:

TABLE NO. 1505.1a

MINIMUM ROOF COVERING CLASSIFICATION FOR TYPES OF CONSTRUCTION

Type	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
Roof Covering	A	A	A	A	A	A	A	A	A

15.04.132 Roof covering within all other areas

Section 1505.1.3 is amended to read as follows: The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering

applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class A.

15.04.132 Roof Drainage

Section 1503.4 amended and section 1503.4.1 is added to read as follows: In all zones, water from the roof of any building and from any paved area, which would flow by gravity over a public right of way, shall be carried by means of conductors under the parking strip and through the curb to the gutter, or other approved location.

15.04.132 Roof and Surface Drainage

Section 1503.4 amended and section 1503.4.2 is added to read as follows: No storm water from any roof, impervious surfaces, point discharge or from any paved or developed area shall be allowed to drain to adjacent properties nor shall this water be connected to the city's sanitary sewer system. Regardless of the slope of the source property, such water shall drain to either artificial or natural storm drainage facilities by gravity or pumping.

15.04.140 Reserved

15.04.150 Reserved

15.04.160 Reserved

15.04.170 Reserved

15.04.180 Reserved

15.04.190 Maintenance

Section 3401.2 is amended and section 3401.2.1 is added to read as follows: All persons to whom permits are issued pursuant to any provision of this code shall, as a condition to the continuing validity of the permit, maintain the subject building site with proper parking, sanitary facilities, material storage, dust and erosion controls on the property site, including, without limitation, all structures thereon, free of all open trenches, tripping hazards, broken ware, empty cans, rubbish, garbage, metal pieces or parts, and all other refuse (collectively "debris"). The presence of debris is contrary to the purposes and intent of this code and is hereby deemed to pose a threat to the health, property, and public welfare of the inhabitants of the town of Hillsborough. Violations of the duty to maintain building sites as described herein shall be punishable in the same manner as any other violation of this code.

15.04.200 Reserved

15.04.210 Additions, Alterations or Repairs

Section 3403 Additions, Alterations or Repairs of the California Building Code is amended by adding one new table and sixteen (16) new Subsections, as follows:

Subsection 3403.5.1 is added to read as follows:

3403.5.1 Repairs. Repairs of structural elements shall comply with this section.

Subsection 3403.5.1.1 is added to read as follows:

3403.5.1.1 Seismic evaluation and design. Seismic evaluation and design of an existing building and its components shall be based on the following criteria:

Subsection 3403.5.1.1.1 is added to read as follows:

3403.5.1.1.1 Evaluation and design procedures. The seismic evaluation and design shall be based on the procedures specified in the building code, ASCE 31 Seismic Evaluation of Existing Buildings (for evaluation only) or ASCE 41 Seismic Rehabilitation of Existing Buildings. The procedures contained in Appendix A of the International Existing Building Code shall be permitted to be used as specified in Section 3403.5.1.1.3.

Subsection 3403.5.1.1.2 is added to read as follows:

3403.5.1.1.2 CBC level seismic forces. When seismic forces are required to meet the building code level, they shall be one of the following:

- 1) 100 percent of the values in the building code. The R factor used for analysis in accordance with Chapter 16 of the building code shall be the R factor specified for structural systems classified as "Ordinary" unless it can be demonstrated that the structural system satisfies the proportioning and detailing requirements for systems classified as "Intermediate" or "Special".
- 2) Forces corresponding to BSE-1 and BSE-2 Earthquake Hazard Levels defined in ASCE 41. Where ASCE 41 is used, the corresponding performance levels shall be those shown in Table 3403.5.1.1.2.

Table 3403.5.1.1.2 is added to read as follows:

TABLE 3403.5.1.1.2
ASCE 41 and ASCE 31 PERFORMANCE LEVELS

OCCUPANCY CATEGORY (BASED ON IBC TABLE 1604.5)	PERFORMANCE LEVEL FOR USE WITH ASCE 31 AND WITH ASCE 41 BSE-1 EARTHQUAKE HAZARD LEVEL	PERFORMANCE LEVEL FOR USE WITH ASCE 41 BSE- 2 EARTHQUAKE HAZARD LEVEL
---	---	--

I	Life Safety (LS)	Collapse Prevention (CP)
II	Life Safety (LS)	Collapse Prevention (CP)
III	Note (a)	Note (a)
IV	Immediate Occupancy (IO)	Life Safety (LS)

a. Performance Levels for Occupancy Category III shall be taken as halfway between the performance levels specified for Occupancy Category II and Occupancy Category IV.

Subsection 3403.5.1.1.3 is added to read as follows:

3403.5.1.1.3 Reduced CBC level seismic forces. When seismic forces are permitted to meet reduced building code levels, they shall be one of the following:

- 1) 75 percent of the forces prescribed in the building code. The R factor used for analysis in accordance with Chapter 16 of the building code shall be the R factor as specified in Section 3403.5.1.1.2.
- 2) In accordance with the applicable chapters in Appendix A of the International Existing Building Code as specified in Items 2.1 through 2.5 below. Structures or portions of structures that comply with the requirements of the applicable chapter in Appendix A shall be deemed to comply with the requirements for reduced building

code force levels.

- 2.1) The seismic evaluation and design of unreinforced masonry bearing wall buildings in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A1.
 - 2.2) Seismic evaluation and design of the wall anchorage system in reinforced concrete and reinforced masonry wall buildings with flexible diaphragms in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A2.
 - 2.3) Seismic evaluation and design of cripple walls and sill plate anchorage in residential buildings of light-frame wood construction in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A3.
 - 2.4) Seismic evaluation and design of soft, weak, or open-front wall conditions in multiunit residential buildings of wood construction in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A4.
 - 2.5) Seismic evaluation and design of concrete buildings and concrete with masonry infill buildings in all Occupancy Categories are permitted to be based on the procedures specified in Appendix Chapter A5.
- 3) In accordance with ASCE 31 based on the applicable performance level as shown in Table 3403.5.1.1.2.
 - 4) Those associated with the BSE-1 Earthquake Hazard Level defined in ASCE 41 and the performance level as shown in Table 3403.5.1.1.2. Where ASCE 41 is used, the design spectral response acceleration parameters S_{xs} and S_{x1} shall not be taken less than 75 percent of the respective design spectral response acceleration parameters SDS and $SD1$ defined by the International Building Code and its reference standards.

Subsection 3403.5.1.2 is added to read as follows:

3403.5.1.2 Wind Design. Wind design of existing buildings shall be based on the procedures specified in the building code.

Subsection 3403.5.2 is added to read as follows:

3403.5.2 Repairs to damaged buildings. Repairs to damaged buildings shall comply with this section.

Subsection 3403.5.2.1 is added to read as follows:

3403.5.2.1 Unsafe conditions. Regardless of the extent of structural damage, unsafe conditions shall be eliminated.

Subsection 3403.5.2.2 is added to read as follows:

3403.5.2.2 Substantial structural damage to vertical elements of the lateral-force-resisting system. A building that has sustained substantial structural damage to the vertical elements of its lateral-force-resisting system shall be evaluated and repaired in accordance with the applicable provisions of Section 3403.5.2.2.1 through 3403.5.2.2.3.

Subsection 3403.5.2.2.1 is added to read as follows:

3403.5.2.2.1 Evaluation. The building shall be evaluated by a registered design professional and the evaluation findings shall be submitted to the building official. The evaluation shall establish whether the damaged building, if repaired to its pre-damage state, would comply with the provisions of the building code. Wind forces for this evaluation shall be those prescribed in the building code. Seismic forces for this evaluation are permitted to be the reduced level seismic forces specified in Code Section 3403.5.1.1.3.

Subsection 3403.5.2.2.2 is added to read as follows:

3403.5.2.2.2 Extent of repair for compliant buildings. If the evaluation establishes compliance of the pre-damage building in accordance with Section 3403.5.2.2.1, then repairs shall be permitted that restore the building to its pre-damage state, using materials and strengths that existed prior to the damage.

Subsection 3403.5.2.2.3 is added to read as follows:

3403.5.2.2.3 Extent of repair for non-compliant buildings. If the evaluation does not establish compliance of the pre-damage building in accordance with Section 3403.5.2.2.1, then the building shall be rehabilitated to comply with applicable provisions of the building code for load combinations including wind or seismic forces. The wind design level for the repair shall be as required by the building code in effect at the time of original construction unless the damage was caused by wind, in which case the design level shall be as required by the code in effect at the time of original construction or as required by the building code, whichever is greater. Seismic forces for this rehabilitation design shall be those required for the design of the pre-damaged building, but not less than the reduced level seismic forces specified in Section 3403.5.1.1.3. New structural members and connections required by this rehabilitation design shall comply with the detailing provisions of the building code for new buildings of similar structure, purpose, and location.

Subsection 3403.5.2.3 is added to read as follows:

3403.5.2.3 Substantial structural damage to vertical load-carrying components. Vertical load-carrying components that have sustained substantial structural damage shall be rehabilitated to comply with the applicable provisions for dead and live loads in the building code. Undamaged vertical load-carrying components that receive dead or live loads from rehabilitated components shall also be rehabilitated to carry the design loads of the rehabilitation design. New structural members and connections required by this rehabilitation design shall comply with the detailing provisions of the building code for new buildings of similar structure, purpose, and location.

Subsection 3403.5.2.3.1 is added to read as follows:

3403.5.2.3.1 Lateral force-resisting elements. Regardless of the level of damage to vertical elements of the lateral force-resisting system, if substantial structural damage to vertical load-carrying components was caused primarily by wind or seismic effects, then the building shall be evaluated in accordance with Section 3403.5.2.2.1 and, if non-compliant, rehabilitated in accordance with Section 3403.5.2.2.3.

Subsection 3403.5.2.4 is added to read as follows:

3403.5.2.4 Less than substantial structural damage. For damage less than substantial structural damage, repairs shall be allowed that restore the building to its pre-damage state, using materials and strengths that existed prior to the damage. New structural members and connections used for this repair shall comply with the detailing provisions of the building code for new buildings of similar structure, purpose, and location.

Subsection 3403.5.3 is added to read as follows:

3403.5.3 Referenced Standards

Standard Reference Number	Title	Referenced In Code Section Number
ASCE 31-03	Seismic Evaluation of Existing Buildings	3403.5.1.1.1, TABLE 3403.5.1.1.2, 3403.5.1.1.3
ASCE 41-06	Seismic Rehabilitation of Existing Buildings	3403.5.1.1.1, 3403.5.1.1.2, TABLE 3403.5.1.1.2, 3403.5.1.1.3

15.04.220 Reserved

15.04. 230 California Office of Emergency Services (OES) Placards

The following section is added per the direct of the California Office of Emergency Services. These placards are to be used during a “Post Disaster Safety Assessment” performed by the city building staff in the aftermath of any disaster. The post disaster assessment placards carry the weight of law per the direction of the California Office of Emergency Services

15.04.240 Amendment procedure

When, in the judgment of the building department, it is reasonably necessary to amend the provisions of the California Building Code due to local climatic, geological, topographical, or environmental conditions, the building official shall prepare and submit the proposed amendments to the city council for consideration at the next regularly scheduled city council meeting. Before adopting any changes or modifications in the requirements contained in the provisions published in the California Building Code, or in any other regulations adopted hereunder, the city council shall make an express finding that such modifications or changes are reasonably necessary because of local climatic, geological, topographical, or environmental conditions. Such finding shall be made available as a public record. Upon approval by the city council and filing of the city Council’s findings with the State Department of Housing and Community Development, such amendments shall be added to and become a part of the provisions of this chapter.

15.04.250 Promulgation of updated editions of the California Building Code

As successive editions of the California Building Code are promulgated and incorporated by reference in the California Building Standards Code, the building department, under the guidance and direction of the building official, shall review the provisions of the new code in order to determine whether they are consistent with the

provisions of the California Building Code then enforce as modified by the provisions of this chapter. The building official shall submit a list of recommendation with respect to such changes (if any) to the city council. Upon review and adoption by the city council, according to the procedure set out in Section 15.04.240, such revised version of the California Building Code, together with all amendments thereto which are recommended by the building official and/or required by the provisions of this chapter, shall govern all buildings and construction within town limits.

Section 7. The Hillsborough Municipal Code is amended to add new Chapter 15.06 as follows:

Chapter 15.06

Historical Building Code

Sections:

- 15.06.010 Purpose
- 15.06.020 Adoption
- 15.06.030 Amendment of the California Historical Building Code - None
- 15.06.040 (Reserved)
- 15.06.050 (Reserved)
- 15.06.060 (Reserved)
- 15.06.070 (Reserved)
- 15.06.080 (Reserved)
- 15.06.090 Amendment procedure
- 15.06.100 Promulgation of updated editions of the California Historical Building Code

15.06.010 Purpose

The purpose of the California Historical Building Code is to provide regulations for the preservation, restoration, rehabilitation, relocation, or reconstruction of buildings or properties designated as qualified historical buildings or properties. The California Historical Building Code is intended to provide solutions for the preservation of qualified historical buildings or properties, to promote sustainability, to provide access for persons with disabilities, to provide a cost-effective approach to preservation, and to provide for the reasonable safety of the occupants or users. The California Historical Building Code requires enforcing agencies to accept solutions that are reasonably equivalent to the regular code (as defined in Title 24 Part 8) when dealing with qualified historical buildings or properties. The intent of the California Historical Building Code is to facilitate the preservation and continuing use of qualified historical buildings or properties while providing reasonable safety for the building occupants and access for persons with disabilities.

15.06.020 Adoption

A. The rules, regulations, and standards printed in the California Historical Building Code, as incorporated by reference in the California Building Standards Code are hereby adopted as the rules, regulations, and standards for the town of Hillsborough as to all matters contained therein, except as otherwise provided herein.

B. One copy of the California Historical Building Code shall at all times be kept on file at the town of Hillsborough Building Department. The copy shall be accompanied by copies of Hillsborough Municipal Code Chapter 15.06 (as well as any additional, subsequent amendments) to show the town of Hillsborough amendments to the California Historical Building Code.

C. In the event there is any conflict or inconsistency between the provisions of the Hillsborough Municipal Code and the California Historical Building Code when applied to any particular case, that requirement which establishes the higher degree of safety shall

be complied with unless otherwise specifically stated in the Hillsborough Municipal Code.

D. No provision of the California Historical Building Code, as amended hereby, shall be deemed to supersede any other provision of the Hillsborough Municipal Code.

- 15.06.030 Amendment of California Historical Building Code - None
- 15.06.040 (Reserved)
- 15.06.050 (Reserved)
- 15.06.060 (Reserved)
- 15.06.070 (Reserved)
- 15.06.080 (Reserved)

15.06.090 Amendment procedure

When, in the judgment of the building department, it is reasonably necessary to amend the provisions of the California Historical Building Code due to local climatic, geological, topographical, or environmental conditions, the building official shall prepare and submit the proposed amendments to the city council for consideration at the next regularly scheduled city council meeting. Before adopting any changes or modifications in the requirements contained in the provisions published in the California Historical Building Code, or in any other regulations adopted hereunder, the city council shall make an express finding that such modifications or changes are reasonably necessary because of local climatic, geological, topographical, or environmental conditions. Such finding shall be made available as a public record. Upon approval by the city council and filing of the city council's findings with the State Department of Housing and Community Development, such amendments shall be added to and become a part of the provisions of this chapter.

15.06.100 Promulgation of updated editions of the California Historical Building Code. As successive editions of the California Historical Building Code are promulgated and incorporated by reference in the California Building Standards Code, the Building Department, under the guidance and direction of the building official, shall review the provisions of the new code in order to determine whether they are consistent with the provisions of the California Historical Building Code then in force as modified by the provisions of this chapter. The building official shall submit a list of recommendations with respect to such changes (if any) to the city council. Upon review and adoption by the city council, according to the procedure set above, such revised version of the California Historical Building Code, together with all amendments thereto which are recommended by the building official and/or required by the provisions of this chapter, shall govern all buildings and construction within town limits.

Section 8. Chapter 15.05 is amended to the Hillsborough Municipal Code as follows:

Chapter 15.07

Existing Building Code

Sections:

- 15.07.010 Purpose
- 15.07.020 Adoption
- 15.07.030 Amendment of the Existing Building Code - None
- 15.07.040 (Reserved)
- 15.07.050 (Reserved)
- 15.07.060 (Reserved)
- 15.07.070 (Reserved)
- 15.07.080 (Reserved)
- 15.07.090 Amendment procedure
- 15.07.100 Promulgation of updated editions of the Existing Building Code.

15.07.010 Purpose

The purpose of this chapter is to promote public safety and welfare by reducing the risk of death or injury that may result from the effects of earthquakes on existing unreinforced masonry bearing wall buildings. The provisions of this chapter (as defined in Title 24 Part 8) are intended as minimum standards for structural seismic resistance, and are established primarily to reduce the risk of life loss or injury. Compliance with these provisions will not necessarily prevent loss of life or jury, or prevent earthquake damage to rehabilitated buildings.

15.07.020 Adoption

A. The rules, regulations, and standards printed in the Existing Building Code, as incorporated by reference in the California Building Standards Code, are hereby adopted as the rules, regulations, and standards for the town of Hillsborough as to all matters contained therein, except as otherwise provided herein.

B. One copy of the Existing Building Code shall at all times be kept on file at the town of Hillsborough Building Department. The copy shall be accompanied by copies of Hillsborough Municipal Code Chapter 15.07 (as well as any additional, subsequent amendments) to show the town of Hillsborough amendments to the Existing Building Code.

C. In the event there is any conflict or inconsistency between the provisions of the Hillsborough Municipal Code and the Existing Building Code when applied to any particular case, that requirement which establishes the higher degree of safety shall be complied with unless otherwise specifically stated in the Hillsborough Municipal Code.

D. No provision of the Existing Building Code, as amended hereby, shall be deemed to supersede any other provision of the Hillsborough Municipal Code.

15.07.030 Amendment of California Existing Building Code - None

- 15.07.040 (Reserved)
- 15.07.050 (Reserved)
- 15.07.060 (Reserved)
- 15.07.070 (Reserved)
- 15.07.080 (Reserved)

15.07.090 Amendment procedure

When, in the judgment of the Building Department, it is reasonably necessary to amend the provisions of the Existing Building Code due to local climatic, geological, topographical, or environmental conditions, the building official shall prepare and submit the proposed amendments to the city council for consideration at the next regularly scheduled city council meeting. Before adopting any changes or modifications in the requirements contained in the provisions published in the Existing Building Code, or in any other regulations adopted hereunder, the city council shall make an express finding that such modifications or changes are reasonably necessary because of local climatic, geological, topographical, or environmental conditions. Such finding shall be made available as a public record. Upon approval by the city council and filing of the city council's findings with the State Department of Housing and Community Development, such amendments shall be added to and become a part of the provisions of this chapter.

15.07.100 Promulgation of updated editions of the Existing Building Code

As successive editions of the Existing Building Code are promulgated and incorporated by reference in the California Building Standards Code, the city building department, under the guidance and direction of the building official, shall review the provisions of the new code in order to determine whether they are consistent with the provisions of the Existing Building Code then in force as modified by the provisions of this chapter. The building official shall submit a list of recommendations with respect to such changes (if any) to the city council. Upon review and adoption by the city council, according to the procedure set above, such revised version of the Existing Building Code, together with all amendments thereto which are recommended by the building official and/or required by the provisions of this chapter, shall govern all buildings and construction within town limits.

Section 9 Chapter 15.08 of the Hillsborough Municipal Code is amended to read in its entirety as follows:

Chapter 15.08

Electrical Code

Sections:

- 15.08.010 Purpose
- 15.08.020 Adoption
- 15.08.030 Amendment of the Electrical Code - None
- 15.08.040 (Reserved)
- 15.08.050 (Reserved)
- 15.08.060 (Amended) Schedule of Permit and Penalty Fees
- 15.08.080 (Reserved)
- 15.08.090 (Reserved)
- 15.08.100 (Reserved)
- 15.08.120 (Reserved)
- 15.08.130 (Reserved)
- 15.08.140 (Reserved)
- 15.08.150 Amendment procedure
- 15.08.160 Promulgation of updated editions of the California Electrical Code

15.08.010 Purpose

The purpose of this chapter is to regulate the sale, installation, repair, maintenance, use, connection, and alteration of all electrical wiring, fixtures, appliances, devices, meters, switches, motors, generators, transformers, signs, and other equipment of the consumer's facilities, and to regulate the erection, installation, alteration, addition, repair, relocation, replacement, maintenance, or use of any solar system, and to provide for inspections, issuance of permits, collection of fees, imposing of penalties for violations, and to adopt uniform rules, regulations, and standards in respect thereto.

15.08.020 Adoption

A. The rules and regulations and standards printed in the California Electrical Code, Title 24, Part 3 2010 Edition, together with the Administration Code. Provisions thereto as incorporated by reference in the California Building Standards Code (California Code of Regulations, Title 24), 2010 Edition, (hereinafter referred to as the "Electrical Code" respectively) (including the Appendix thereto) is hereby adopted as the rules, regulations, and standards for the town of Hillsborough as to all matters contained therein except as herein provided.

B. One copy of the Electrical Code shall at all times be kept on file at the town of Hillsborough building department. The copy shall be accompanied by a copy of Hillsborough Municipal Code Chapter 15.08 (as well as any additional subsequent amendments) to show the Hillsborough amendments to the 2010 California Electrical Code.

C. In the event of any conflict or inconsistency between the provisions of the Hillsborough Municipal Code and the California Electrical Code when applied to any particular case, that requirement which establishes the higher degree of safety shall be complied with unless otherwise specifically stated in the Hillsborough Municipal Code.

D. No provisions of the Electrical Code as amended hereby, shall be deemed to supersede any other provision of the Hillsborough Municipal Code.

15.08.030 Amendment of California Electrical Code

The Electrical Code as adopted by this chapter is hereby amended, in its application to the town as set forth in Sections 15.08.050 through 15.08.130.

15.08.040 (Reserved)

15.08.050 (Reserved)

15.08.060 Schedule of Permit and Penalty Fees

A. The fee schedule for a permit shall be as established by resolution or ordinance adopted by the city council, plus any additional fees which may be established or mandated by state or federal law or city ordinance. The applicable permit fees shall be as established in the master fee schedule.

B. The value to be used in computing the electrical permit fee, the plan review fee and other fees shall be the total value of all construction work for which the permit is issued as well as all finish work, electrical, and any other permanent construction or equipment.

C. A fee for each permit shall be paid as required, in accordance with the Hillsborough master fee schedule, including subparagraphs (1), (2), and (3). The fee schedule is located in the town of Hillsborough's Master Fee Schedule

1) Whenever a permit fee is required by this ordinance to be paid prior to starting work and such work is started prior to obtaining a permit, the scheduled fee shall be the applicable permit fee as set forth in Table No. 1-A found in the master fee schedule, plus an additional amount of up to ten times the applicable permit fee. The exact amount shall be set by the building official in the amount that will, in his or her good faith estimate, recover the cost of town staff time expended to deal with the problems caused by the unpermitted work.

2) If a stop work order is issued, it may not be lifted until a permit reactivation fee has been paid in an amount not less than two hundred fifty dollars up to one thousand dollars, the exact amount to be set by the building official in the amount that will, in his or her good faith estimate, recover the cost of town staff time expended to deal with the problems involved in the issuance of the stop work order.

3) A document imaging charge may be charged upon submission of every application for an electrical permit. The applicable fee shall be found in the master fee schedule.

15.08.070 (Reserved)

15.08.080 (Reserved)

15.08.090 (Reserved)

- 15.08.100 (Reserved)
- 15.08.120 (Reserved)
- 15.08.130 (Reserved)
- 15.08.140 (Reserved)

15.08.150 Amendment procedure

When, in the judgment of the Building Department, it is reasonably necessary to amend the provisions of the California Electrical Code due to local climatic, geological, topographical, or environmental conditions, the building official shall prepare and submit the proposed amendments to the city council for consideration at the next regularly scheduled city council meeting. Before adopting any changes or modification in the requirements contained in the provisions published in the California Electrical Code, or in any other regulations adopted hereunder, the city council shall make an express finding that such modifications or changes are reasonably necessary because of local climatic, geological, topographical, or environmental conditions. Such finding shall be made available as a public record. Upon approval by the city council and filing of the city Council's findings with the State Department of Housing and Community Development, such amendments shall be added to and become a part of the provisions of this chapter.

15.08.160 Promulgation of updated editions of the California Electrical Code

As successive editions of the California Electrical Code are promulgated and incorporated by reference in the California Building Standards Code, the Building Department, under the guidance and direction of the building official, shall review the provisions of the new version(s) of such code(s) in order to determine whether they are consistent with the provisions of the California Electrical Code then in force, as modified by the provisions of this chapter. The building official shall submit a list of recommendations with respect to such changes (if any) to the city council. Upon review and adoption by the city council, according to the procedure set out at Section 15.08.150 above, such revised version of the California Electrical Code, together with all amendments thereto which are recommended by the building official and/or required by the provisions of this chapter, shall govern all buildings and construction within town limits.

Section 10. Chapter 15.10 of the Hillsborough Municipal Code is amended to read in its entirety as follows:

Chapter 15.10

Energy Code

Sections:

- 15.10.010 Purpose
- 15.10.020 Adoption
- 15.10.030 Amendment of the Energy Code
- 15.10.040 (Amended) Schedule of Permit and Penalty Fees
- 15.10.050 (Reserved)
- 15.10.060 (Reserved)
- 15.10.070 (Reserved)
- 15.10.080 (Reserved)
- 15.10.090 Amendment procedure
- 15.10.100 Promulgation of updated editions of the California Energy Code

15.10.010 Purpose

The purpose of this chapter is to regulate the installation of mandatory features and devices in residential buildings, including installation of said features and devices especially in those portions of the ceiling, walls and floors separating the conditioned spaces from the unconditioned spaces, and to regulate the alteration, repair, and maintenance of heating, cooling, and air conditioning appliances and related piping, venting, duct-work, and safety devices, including design and materials, and to provide for inspections, issuance of permits, collection of fees, and imposition of penalties for violations, and to adopt uniform rules, regulations, and standards in respect thereto.

15.10.020 Adoption

A. The rules, regulations, and standards printed in the California Energy Code, 2010 Edition, as incorporated by reference in the California Building Standards Code (California Code of Regulations, Title 24 part 6), 2010 Edition, (hereinafter referred to as the "Energy Code") (including the Appendix thereto) are hereby adopted as the rules, regulations, and standards for the town of Hillsborough as to all matters contained therein, except as otherwise provided herein.

B. One copy of the Energy Code shall at all times be kept on file at the town of Hillsborough Building Department. The copy shall be accompanied by copies of Hillsborough Municipal Code Chapter 15.10 (as well as any additional, subsequent amendments) to show the town of Hillsborough amendments to the Energy Code.

C. In the event there is any conflict or inconsistency between the provisions of the Hillsborough Municipal Code and the Energy Code when applied to any particular case, that requirement which establishes the higher degree of safety shall be complied with unless otherwise specifically stated in the Hillsborough Municipal Code.

D. No provision of the California Energy Code, as amended hereby, shall be deemed to supersede any other provision of the Hillsborough Municipal Code.

15.10.030 Amendment of California Energy Code --Generally

The Energy Code, as adopted by this chapter, is hereby amended in its application to the town of Hillsborough as set forth in Section 15.10.050.

15.10.040 Amended - Schedule of Permit and Penalty Fees

A. The fee schedule for a permit shall be as established by resolution or ordinance adopted by the city council, plus any additional fees which may be established or mandated by state or federal law or city ordinance. The applicable permit fees will be kept in master fee schedule.

B. The value to be used in computing the electrical permit fee, the plan review fee and other fees shall be the total value of all construction work for which the permit is issued as well as all finish work, electrical, and any other permanent construction or equipment.

C. A fee for each permit shall be paid as required, in accordance with schedule 2-E, including subparagraphs (1), (2), and (3). The fee schedule is located in the town of Hillsborough's Master Fee Schedule.

1) Whenever a permit fee is required by this ordinance to be paid prior to starting work and such work is started prior to obtaining a permit, the scheduled fee shall be the applicable permit fee as set forth in Table No. 1-A found in the master fee schedule, plus an additional amount of up to ten times the applicable permit fee. The exact amount shall be set by the building official in the amount that will, in his or her good faith estimate, recover the cost of town staff time expended to deal with the problems caused by the unpermitted work.

2) If a stop work order is issued, it may not be lifted until a permit reactivation fee has been paid in an amount not less than two hundred fifty dollars up to one thousand dollars, the exact amount to be set by the building official in the amount that will, in his or her good faith estimate, recover the cost of town staff time expended to deal with the problems involved in the issuance of the stop work order.

3) A document imaging charge may be charged upon submission of every application for an electrical permit. The applicable fee shall be found in the Master Fee Schedule.

15.10.050 (Reserved)

15.10.070 (Reserved)

15.10.080 (Reserved)

15.10.090 Amendment procedure.

When, in the judgment of the Building Department, it is reasonably necessary to amend the provisions of the Energy Code due to local climatic, geological, topographical, or environmental conditions, the building official shall prepare and submit the proposed amendments to the city council for consideration at the next regularly scheduled city council meeting. Before adopting any changes or modifications in the requirements contained in the provisions published in the Energy Code, or in any other regulations adopted hereunder, the city council shall make an express finding that such modifications or changes are reasonably necessary because of local climatic, geological, topographical,

or environmental conditions. Such finding shall be made available as a public record. Upon approval by the city council and filing of the city council's findings with the State Department of Housing and Community Development, such amendments shall be added to and become a part of the provisions of this chapter.

15.10.100 Promulgation of updated editions of the Energy Code

As successive editions of the Energy Code are promulgated and incorporated by reference in the California Building Standards Code, the Building Department, under the guidance and direction of the building official, shall review the provisions of the new code in order to determine whether they are consistent with the provisions of the Energy Code then in force as modified by the provisions of this chapter. The building official shall submit a list of recommendations with respect to such changes (if any) to the city council. Upon review and adoption by the city council, according to the procedure set above, such revised version of the Energy Code, together with all amendments thereto which are recommended by the building official and/or required by the provisions of this chapter, shall govern all buildings and construction within town limits.

Section 11. Chapter 15.12 of the Hillsborough Municipal Code is amended to read in its entirety as follows:

Chapter 15.12

Mechanical Code

Sections:

- 15.12.010 Purpose
- 15.12.020 Adoption
- 15.12.030 Amendment of the Mechanical Code.
- 15.12.040 Amended - Schedule of Permit and Penalty Fees
- 15.12.050 (Reserved)
- 15.12.060 (Reserved)
- 15.12.070 (Reserved)
- 15.12.080 (Reserved)
- 15.12.090 Amendment procedure
- 15.12.100 Promulgation of updated editions of the California Mechanical Code

15.12.010 Purpose

The purpose of this chapter is to regulate the installation, repair, and maintenance of heating, cooling, and air conditioning appliances and related piping, venting, duct-work, and safety devices, including design and materials, and to provide for inspections, issuance of permits, collection of fees, imposing of penalties for violations, and adopting uniform rules, regulations, and standards in respect thereto.

15.12.020 Adoption

A. The rules, regulations, and standards printed in the California Mechanical Code, 2010 Edition, as incorporated by reference in the California Building Standards Code (California Code of Regulations, Title 24 part 6), 2010 Edition, (hereinafter referred to as the "Mechanical Code") (including the Appendix thereto) are hereby adopted as the rules, regulations, and standards for the town of Hillsborough as to all matters contained therein, except as otherwise provided herein.

B. One copy of the Mechanical Code shall at all times be kept on file at the town of Hillsborough Building Department. The copy shall be accompanied by copies of Hillsborough Municipal Code Chapter 15.12 (as well as any additional, subsequent amendments) to show the town of Hillsborough amendments to the California Mechanical Code.

C. In the event there is any conflict or inconsistency between the provisions of the Hillsborough Municipal Code and the Mechanical Code when applied to any particular case, that requirement which establishes the higher degree of safety shall be complied with unless otherwise specifically stated in the Hillsborough Municipal Code.

D. No provision of the Mechanical Code, as amended hereby, shall be deemed to supersede any other provision of the Hillsborough Municipal Code.

15.12.030 Amendment of California Mechanical Code -- Generally.

The Mechanical Code, as adopted by this chapter, is hereby amended in its application to the town of Hillsborough as set forth in Section. None.

15.12.040 Amended - Schedule of Permit and Penalty Fees

A. The fee schedule for a permit shall be as established by resolution or ordinance adopted by the city council, plus any additional fees which may be established or mandated by state or federal law or city ordinance. The applicable permit fees will be kept in the Master Fee Schedule.

B. The value to be used in computing the electrical permit fee, the plan review fee and other fees shall be the total value of all construction work for which the permit is issued as well as all finish work, electrical, and any other permanent construction or equipment.

C. A fee for each permit shall be paid as required, in accordance with the Hillsborough master fee schedule, including subparagraphs (1), (2), and (3). The fee schedule is located in the town of Hillsborough's Master Fee Schedule.

- 1) Whenever a permit fee is required by this ordinance to be paid prior to starting work and such work is started prior to obtaining a permit, the scheduled fee shall be the applicable permit fee as set forth in Table No. 1-A found in the master fee schedule, plus an additional amount of up to ten times the applicable permit fee. The exact amount to be set by the building official in the amount that will, in his or her good faith estimate, recover the cost of town staff time expended to deal with the problems caused by the unpermitted work.
- 2) If a stop work order is issued, it may not be lifted until a permit reactivation fee has been paid in an amount not less than two hundred fifty dollars up to one thousand dollars, the exact amount to be set by the building official in the amount that will, in his or her good faith estimate, recover the cost of town staff time expended to deal with the problems involved in the issuance of the stop work order.
- 3) A document imaging charge may be charged upon submission of every application for an electrical permit. The applicable fee shall be found in the master fee schedule.

15.12.050 (Reserved)

15.12.060 (Reserved)

15.12.070 (Reserved)

15.12.080 (Reserved)

15.12.090 Amendment procedure

When, in the judgment of the Building Department, it is reasonably necessary to amend the provisions of the Mechanical Code due to local climatic, geological, topographical, or environmental conditions, the building official shall prepare and submit the proposed amendments to the city council for consideration at the next regularly scheduled city council meeting. Before adopting any changes or modifications in the requirements contained in the provisions published in the Mechanical Code, or in any other regulations adopted hereunder, the city council shall make an express finding that such modifications or changes are reasonably necessary because of local climatic, geological, topographical,

or environmental conditions Such finding shall be made available as a public record. Upon approval by the city council and filing of the city council's findings with the State Department of Housing and Community Development, such amendments shall be added to and become a part of the provisions of this chapter.

15.12.100 Promulgation of updated editions of the Mechanical Code

As successive editions of the Mechanical Code are promulgated and incorporated by reference in the California Building Standards Code, the Building Department, under the guidance and direction of the building official, shall review the provisions of the new code in order to determine whether they are consistent with the provisions of the California Mechanical Code then in force as modified by the provisions of this chapter. The building official shall submit a list of recommendations with respect to such changes (if any) to the city council. Upon review and adoption by the city council, according to the procedure set above, such revised version of the Mechanical Code, together with all amendments thereto which are recommended by the building official and/or required by the provisions of this chapter, shall govern all buildings and construction within town limits.

Section 12. Chapter 15.16 of the Hillsborough Municipal Code is amended to read in its entirety as follows:

Chapter 15.16

Plumbing Code

Sections:

15.16.010	Purpose
15.16.020	Adoption
15.16.030	Amendment of Plumbing Code
15.16.040	Amended - Schedule of Permit and Penalty Fees
15.16.050	(Reserved)
15.16.060	(Reserved)
15.16.070	(Reserved)
15.16.080	Chapter 6 amended--Water supply and distribution-
15.16.085	Installation of Backwater Protection
15.16.090	(Reserved)
15.16.100	Amendment procedure. Plumbing Code
15.16.110	Promulgation of updated editions of the Plumbing Code

15.16.010 Purpose

The purpose of this chapter is to regulate the installation, repair, and maintenance of all plumbing fixtures, appliances, and systems (including, but not limited to, water supply, domestic water piping, sanitary drains, wastes, vents, and drainage of other concentrations of water or wastes), swimming pools, spas, and hot tubs, including design and materials, and to provide for inspections, violations, and adopting uniform rules, regulations, and standards in respect thereto.

15.16.020 Adoption

A. The rules, regulations and standards printed in the California Plumbing Code, 2010 Edition (including the Appendix thereto) as incorporated by reference in the California Building Standards Code (California Code of Regulations, Title 24 Part 5), 2010 Edition, (hereinafter referred to as the "Plumbing Code") are hereby adopted as the rules, regulations, and standards for the town of Hillsborough as to all matters contained therein except as herein otherwise provided.

B. One copy of the Plumbing Code shall at all times be kept on file at the town of Hillsborough Building Department. The copy shall be accompanied by copies of Hillsborough Municipal Code Chapter 15.16 (as well as any additional subsequent amendments) to show the Hillsborough amendments to the Plumbing Code.

C. In the event of any conflict or inconsistency between the provisions of the Hillsborough Municipal Code and the Plumbing Code when applied to any particular case, that requirement which establishes the higher degree of safety shall be complied with unless otherwise specifically stated in the Hillsborough Municipal Code.

D. No provision of the Plumbing Code, as amended hereby, shall be deemed to supersede any other provision of the Hillsborough Municipal Code.

15.16.030 Amendment of Plumbing Code -- Generally

The Plumbing Code adopted by this chapter are hereby amended, in their application to the town as set forth in Sections 15.16.040 through 15.16.085.

15.16.040 Amended - Schedule of Permit and Penalty Fees

A. The fee schedule for a permit shall be as established by resolution or ordinance adopted by the city council, plus any additional fees which may be established or mandated by state or federal law or city ordinance. The applicable permit fees as set forth in Table No. 2-E. The table will be kept in the Master Fee Schedule.

B. The value to be used in computing the electrical permit fee, the plan review fee, and other fees shall be the total value of all construction work for which the permit is issued as well as all finish work, electrical, and any other permanent construction or equipment.

C. A fee for each permit shall be paid as required, in accordance with the Hillsborough master fee schedule, including subparagraphs (1), (2), and (3). The fee schedule is located in the town of Hillsborough's Master Fee Schedule.

1) Whenever a permit fee is required by this ordinance to be paid prior to starting work and such work is started prior to obtaining a permit, the scheduled fee shall be the applicable permit fee as set forth in Table No. 1-A found in the master fee schedule, plus an additional amount of up to ten times the applicable permit fee. The exact amount shall be set by the building official in the amount that will, in his or her good faith estimate, recover the cost of town staff time expended to deal with the problems caused by the unpermitted work.

2) If a stop work order is issued, it may not be lifted until a permit reactivation fee has been paid in an amount not less than two hundred fifty dollars up to one thousand dollars, the exact amount to be set by the building official in the amount that will, in his or her good faith estimate, recover the cost of town staff time expended to deal with the problems involved in the issuance of the stop work order.

3) A document imaging charge may be charged upon submission of every application for an electrical permit. The applicable fee shall be found in the master fee schedule.

15.16.050 (Reserved)

15.16.060 (Reserved)

15.16.070 (Reserved)

15.16.080 Chapter 6 amended--Water supply and distribution

A Section 605.0--Valves. Section 605.3 of Section 605.0 is hereby amended by adding the following language at the end of the second sentence: "The supply piping to a single family residence, and the buildings accessory thereto, shall have a shut-off valve on the discharge side of the meter within one foot of the meter box".

15.16.085. Installation of backwater protection

A. Definitions. As used in this chapter:

1. "Backwater protection" means an IAMPO-approved backwater valve (commonly known as a backflow device), ejector or pumps system, clean out with pressure relief device, valve, or combination of two or more of these devices that is approved by the building official and intended to prevent sewage from back flowing into a structure.
 2. "Draining unit fixture" means a drainage unit fixture listed in the California Plumbing Code.
 3. "Inadequate height differential" means that the flood level rim of a drainage unit fixture on a property's sanitary sewage drainage system is below or less than twelve inches above the nearest upstream manhole or flushing inlet cover on the sanitary sewer main serving the fixture's drainage piping.
 4. "Licensed professional" means a person authorized under California law to render an applicable certification to the property owner and the town regarding a specific question under this section.
 5. "Sewage relief valve" means a device permanently installed on a building sewer lateral in such manner to allow sewage backflow to relieve to grade outside the building.
- B. Backwater Protection Required Prior to Receiving a Plumbing Permit with a Date of Issue Between January 1, 2005 and December 31, 2006. When an application is submitted for a plumbing permit, between the dates of January 1, 2005 and December 31, 2006 the applicant must certify the presence of backwater protection, or request and receive an exemption from the need for backwater protection because the flood level rim of the lowest drainage fixture units located on the property are at an elevation that is at least twelve inches or more above the nearest upstream manhole on the main sewer as determined by a licensed professional or the building official.
- C. Backwater Protection Installation Required by January 1, 2007. Notwithstanding any other provision of this section, all properties with drainage unit fixtures at an inadequate height differential shall have backwater protection installed by January 1, 2007.
- D. Ongoing Responsibility. Once installed, a property owner shall ensure that backwater protection is maintained, so as to be fully operable in the sewer lateral(s) serving the property owner's real property whenever an inadequate height differential exists on the property.
- E. Proof of Previous Installation. A property owner may file a certification from a licensed professional demonstrating that backwater protection as approved by the building official has been installed on the property's sewage drainage system and is fully operable. This certification is subject to confirmation by the town.
- F. Maintenance. Property owners are solely responsible for ensuring that backwater protection is properly maintained and functioning at all times. Backwater protection is subject to inspection by the town at any reasonable time.

15.16.090 (Reserved)

15.16.100 Amendment procedure

When, in the judgment of the Building Department, it is reasonably necessary to amend the provisions of the Plumbing Code due to local climatic, geological, topographical, or environmental conditions, the building official shall prepare and submit the proposed

amendments to the city council for consideration at the next regularly scheduled city council meeting. Before adopting any changes or modifications in the requirements contained in the provisions published in the California Building Standards Code, or in any other regulations adopted hereunder, the city council shall make an express finding that such modification or changes are reasonably necessary because of local climatic, geological, topographical or environmental conditions. Such findings shall be made available as a public record. Upon approval by the city council and filing of the city council's findings with the State Department of Housing and Community Development, such amendments shall be added to and become a part of the provisions of this chapter.

15.16.110 Promulgation of updated editions of the Plumbing Code

As successive editions of the Plumbing Code are promulgated and incorporated by reference in the California Building Standards Code, the Building Department, under the guidance and direction of the building official, shall review the provisions of the new version(s) of such code(s) in order to determine whether they are consistent with the provisions of the Plumbing Code then in force as modified by the provisions of this chapter. The building official shall submit a list of recommendations with respect to such changes (if any) to the city council. Upon review and adoption by the city council, according to the procedure set out at Section 15.16.100, such revised version of the California Plumbing Code with all amendments thereto which are recommended by the building official and/or required by the provisions of this chapter, shall govern all buildings and construction within town limits.

Section 13. Chapter 15.20 of the Hillsborough Municipal Code is amended to read in its entirety as follows:

Chapter 15.20

FIRE CODE

Section:

15.20.010	Adoption
15.20.020	Amendments
15.20.025	Certificate of Occupancy and Plan Review
15.20.030	Fees
15.20.035	Investigation and Fee – Work Without a Permit
15.20.040	Definitions
15.20.045	Miscellaneous Combustible Materials Storage
15.20.050	Fireworks
15.20.055	Marking – Fire Lanes
15.20.060	Premises Identification
15.20.065	Key Boxes
15.02.070	Fire Command Center
15.20.075	Fire Protection Equipment Identification and Access
15.20.080	Fuel-Fired Appliances
15.20.085	Additions and Alterations – Fire Sprinkler Systems
15.20.086	Applicable to all Sprinklered Buildings
15.20.087	Where Required
15.20.088	Existing Buildings and Structures
15.20.089	Inspectors Test
15.20.090	Additional Residential Sprinkler Locations
15.20.095	Signs
15.20.100	Unlawful burning and deposits of hazardous materials--Cleanup or abatement--Liability for costs.
15.20.105	Appeal and review.
15.20.110	(Reserved)
15.20.115	(Reserved)
15.20.120	(Reserved)
15.20.125	(Reserved)
15.20.130	(Reserved)
15.20.135	(Reserved)
15.20.140	(Reserved)
15.20.145	(Reserved)
15.20.150	(Reserved)
15.20.155	Fire Lanes which are not Fire Apparatus Access Roads
15.20.160	Amendment Procedure
15.20.165	Severability
15.20.170	Regulations of Other Agencies
15.12.180	Promulgation of editions of the California Fire Code and International Fire Code

15.20.010 Adoption

Adoption of text of the California Fire Code, the International Fire Code. There is adopted by the city for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code which contains building standards known as the 2010 California Fire Code (International Fire Code, 2009 Edition as amended by the State of California), and the non-building standards known as the International Fire Code, 2009 Edition, together with all appendices and the State of California amendments thereto, save and except such portions as are in this chapter deleted, modified, or amended.

15.20.020 Amendments

Amendments to the California Fire Code and International Fire Code
The California Fire Code and the International Fire Code are amended or modified as follows:

15.20.025 Certificates of occupancy and plan review

Section 105.3.3 is deleted in its entirety and replaced with the following:
No final inspection by the building official as to all or any portion of a development shall be deemed complete, and no certificate of occupancy or temporary certificate of occupancy shall be issued unless and until the installation of the prescribed fire protection facilities and access ways have been completed and approved by the fire chief.

Section 105.4.1.1 is added to read as follows:

When required by the fire code official, plans submitted to the building official for a permit shall be reviewed by the fire chief to determine compliance with the California Fire Code and the International Fire Code. Upon review a written report shall be returned to the building official listing deficiencies or compliance with the Code.

15.20.030 Fees

Section 105.8, IFC is added to this code and shall read as follows:

Fees and Special Requirements

A. The fees for the permits and other services shall be as established by resolution of the Hillsborough city council as amended from time to time. The fee shall be set to cover the cost of the fire department to review and inspect the intended activities, operations or functions. The fees must be paid to the central county fire department or the town of Hillsborough prior to engaging in the listed activities, operations or functions.

Exception: (1) The applicant for a given permit shall be exempt from the payment when the work to be conducted is for the town of Hillsborough under written contract to the city or for events sponsored or co-sponsored by the city.

B. In the case of multiple permits for an applicant, the permit applicant will be charged the single highest listed rate of all the permits required. The other permitable items will be charged at a rate of 50% of the listed fee as long as the permits are for the same address.

C. Where processes or materials are inherent with a permitable item, subsequent fees may be waived at the discretion of fire chief.

D. All fire permits and fire construction permits shall have a set number of inspections per permit as set forth by the Hillsborough Fee Schedule. Additional

inspections and additional re-inspections will be billed at an hourly rate consistent with the Hillsborough Fee Schedule.

E. Application for "event" type permits (i.e.: Assembly, Pyrotechnic, Tents, etc.) shall be submitted 14 days prior to the event date. Applications submitted within 13 days prior to the event date shall be charged double the regular permit rate as established by the Hillsborough Fee Schedule.

F. "After Hours" inspections shall be invoiced at a rate of one and one-half time the normal hourly rate. "After Hours" inspections will be billed at a rate of three hours minimum. "After Hours" inspections are defined as follows: Inspections conducted outside of normal business hours for the fire prevention division.

G. Any person, group, organization, institution, or business failing to pay the applicable fees under this Article shall after 30 days of the due date, for either existing or new permit applicants, be issued a citation for non-payment of the required permit fee. The penalty for all permit payments delinquent after 30 days shall be a doubling of the original fee.

15.20.035 Investigation and Fee – Work Without a Permit

Section 113.1.1 and 113.1.2, IFC is added to this code and shall read as follows:

Section 113.1.1 Investigation and Fee. Whenever construction or work for which a permit is required by this code, or any other code adopted or incorporated by reference as a part of this code, has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for the work. Demolition of all or part of a structure or system without a required permit shall be subject to the investigation and fees imposed by this section.

Section 113.1.2 Work without a permit. An investigation fee, in addition to the permit fee, shall be collected as a civil penalty, whether or not a permit is then or subsequently issued. The investigation fee shall be up to 10 times the fire permit fee. The investigation fee shall be determined by the fire chief and shall be based on the staff time reasonably required to resolve all of the issues relative to the work that has been performed without a permit. No construction work permit shall be issued until the investigation fee has been paid in full.

Nothing in this section shall relieve any persons from fully complying with the requirements of this code, or with any codes incorporated by reference and made a part of this code in the execution of the work, or from any other fees or penalties prescribed by law.

15.20.040 Definitions

Section 302, IFC is amended by adding the following definition:

Fireworks - Any composition or device for the purpose of producing a visible or audible effect for entertainment purposes by combustion, deflagration, detonation or any fireworks including "safe and sane" as defined by section 12529 of the State of California Health and Safety Code.

15.20.045 Miscellaneous Combustible Materials Storage

Section 315.1, IFC is amended by adding the following exception to read as follows: Storage, use and handling of miscellaneous combustible materials shall be in accordance with this section. A permit shall be obtained in accordance with Section 105.6.

Exception: Storage of combustible materials other than motorized vehicles or vessels

shall not be permitted in a public parking garage or in a garage or carport serving a Group R, Division 1 or Group R, Division 2 Occupancy, unless the method of storage is approved by the Fire Code Official.

15.20.050 Fireworks

Sections 318.1 through 318.2, IFC are added to read as follows:

Section 318.1 General. The manufacture, storage, sale, possession, handle or use of all fireworks as defined in Section 302 is prohibited. Professional pyrotechnic fireworks presentations may be approved by the city council upon the recommendation of the fire chief.

Section 318.2 Seizure. The chief shall seize, remove or cause to be removed at the expense of the owner all stocks of fireworks offered or exposed for sale, stored or held in violation of this code.

15.20.055 Marking

Section 503.3, IFC is amended by adding section 503.3.1 to read as follows:

Designation of fire lanes shall be by one of the following means:

1. By white signs measuring at least 12 inches by 18 (12" x 18") inches posted immediately adjacent thereto and clearly visible. It should clearly state, in red letters not less than one inch (1") in height, that the space is a fire lane and parking is prohibited.
2. By outlining and hash marking the area in contrasting colors clearly marking it with the words "Fire Lane - No Parking."
3. By identifying the space with a red curb upon which the words "Fire Lane - No Parking" are stenciled every 15 feet.
 - a. Both sides of fire lanes shall be red curbed when the fire lane is twenty (20) to twenty-eight (28) feet in width.
 - b. At least one side of a fire lane shall be red curbed and stenciled when the fire lane is over twenty eight (28) and up to thirty-six (36) feet in width.
 - c. Curbs need not be painted red nor stenciled when the fire lane is more than thirty-six (36) feet in width.

15.20.060 Premises identification

Section 505.1 is deleted in its entirety and replaced to read as follows:

New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Said numbers shall be either internally or externally illuminated in all new construction. Size of numbers shall be as follows:

1. Minimum of one-half-inch ($\frac{1}{2}$ ") stroke by four inches (4") high
2. When the structure is thirty-six (36) to fifty (50) feet from the street or fire apparatus access, a minimum of one-half-inch ($\frac{1}{2}$ ") stroke by six inches (6") high is required.
3. When the structure is more than fifty (50) feet from the street or fire apparatus access, a minimum of one-inch (1") stroke by nine inches (9") high is required.

Sections 505.1.1, IFC is added to read as follows:

When required by the chief, approved numbers or addresses shall be placed on all new

and existing buildings in such a position as to be plainly visible and legible from the fire apparatus road at the back of a property or where rear parking lots or alleys provide and acceptable vehicular access. Number stroke and size shall comply with 505.1.

15.20.065 Key Boxes

Section 506.1 is deleted in its entirety and replaced to read as follows:

Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type and shall contain contents as established in Section 506.1.1.1.

Section 506.1.1.1, IFC is added to read as follows:

The key provided shall be a master key to all spaces including multi-tenant spaces. Additional keys shall be included for elevator control, fire alarm control panels, and fire sprinkler control valve access. Contents inside key box shall follow approved fire department standards.

15.20.070 Fire Command Center

Section 508.1.1.1 IFC is added to read as follows:

Fire command center shall be equipped with an exterior door and be located at the exterior of the building at a location approved by the fire chief.

15.20.075 Fire Protection Equipment Identification and Access

Section 509.1.1, IFC is added to read as follows:

In multi-unit commercial buildings, gas and electric meters, service switches and shut off valves shall be clearly and legible marked to identify the unit or space that it serves.

15.20.080 Fuel-Fired Appliances

Section 603.6.6, CFC is added to read as follows:

Every chimney shall have a spark arrestor, either internally or externally mounted. Any spark arrestor to be mounted internally shall not be installed until installation plans for such arrestor have been submitted to and approved by the building department. All chimneys as described in section 603.6 shall be retroactively protected when one or more of the following conditions exist:

1. Upon the sale or transfer of the real property on which any chimney is located.
 - a. The transfer of title shall not be made until each such chimney contains the required spark arrestor, properly installed and in proper working order.
2. In the event of any construction on such property for which a building permit is required.
 - b. The final building permit sign off shall not be made until each such chimney contains the required spark arrestor, properly installed and in proper working order.

15.20.085 Additions and Alterations

Section 903.1.2, CFC is added to read as follows:

The standard for calculating the size of addition and/or alteration for determining the threshold for fire sprinkler systems shall be:

1. The square footage of every room being added or altered shall be included in the

- calculation of total square footage of addition or alteration.
- 2.. The entire square footage of an individual room shall be considered added or altered when at least fifty percent (50%) or greater of the linear length of interior wall sheeting or ceiling within the room is new, removed, or replaced. Windows, doors and openings are excluded from the calculations.
 3. The entire square footage of an individual room shall be considered added or altered when at least fifty percent (50%) or greater of the linear length of concrete, brick or masonry walls within the room is new, removed, or replaced. Windows, doors and openings are excluded from the calculations.

15.20.086 Applicable to all Sprinklered Buildings

Section 903.1.3, CFC is added to read as follows:

The following provisions apply to all sprinklered buildings:

1. The size or cost of additions and alterations used in calculating the size or replacement cost value formula shall not be cumulative with regard to individual additions or alterations in a building unless either of the following two circumstances apply:
 - a. Where more than one (1) addition or alteration for which building permits are required are made within a two (2) year period and said additions or alterations are made to the premises by the same occupant. In such circumstances, the sum of the size or costs of these additions or alterations during this two (2) year period shall be aggregated for the purpose of calculating the size or replacement cost value formula; or
 - b. Where more than one (1) addition or alteration for which building permits have been issued have not yet received final Building Division approval. In such circumstances, the sum of these issued but not yet finalized building additions' or alterations' sizes or construction costs shall be aggregated for the purpose of calculation of the size or replacement cost value formula.
2. When a commercial building is partially retrofitted with an approved automatic sprinkler fire extinguishing system pursuant to this section, the building owner shall complete the fire extinguishing system retrofit throughout the unprotected building interior areas within six (6) years of completing the initial partial retrofit or within every tenant space where a building permit is obtained, whichever is less.
3. When a residential building is partially retrofitted with an approved automatic sprinkler fire extinguishing system pursuant to this section, the building fire extinguishing system retrofit shall be completed throughout the unprotected building interior areas within two (2) years from completing the initial partial retrofit.

15.20.087 Where required

Section 903.2 CFC shall be deleted and replaced as follows:

Approved automatic fire sprinkler systems shall be installed in all new buildings and structures. In addition, approved automatic fire sprinkler systems shall be provided in locations described in Sections 903.2.1 through 903.2.12.

15.20.088 Existing Building and Structures

Section 903.2.19 is added to read as follows:

All existing buildings and structures shall be retroactively protected by an approved automatic extinguishing system when the following conditions exist:

- a. Commercial buildings with a total building floor area in excess of 2,000 square feet or more than two stories in height, and when additions or alterations for which a building permit is required will exceed 1,500 square feet in area.
- b. Residential one- and two-family dwellings and structures with a total building floor area in excess of 2,000 square feet or more than two stories in height, and when additions or alterations for which a building permit is required will exceed 1500 square feet in area.

Exceptions:

1. Additions or alterations of commercial buildings that do not exceed 20% of the entire completed building as defined by the Building Valuation Data (BVD) in the most recent edition of the Building Safety Journal® as published by the International Code Council (ICC).
2. Additions or alterations to residential one- and two-family dwellings and structures that do not exceed 20% of a building over 7500 square feet.
3. The cost of additions and alterations used in calculating the replacement cost value formula shall be exclusive of the cost to design and install an automatic fire sprinkler extinguishing system pursuant to this section; building roof repair/replacement; building heating and/or cooling unit repair/replacement; and any other federal, state and local construction code upgrade requirements including but not limited to the seismic retrofit requirements, asbestos, and other hazardous material abatement.

15.20.089 Inspector's Test

Section 903.3.1.4, CFC is added to read as follows:

Inspector Test Valves shall be provided for each system and located the furthest point away from the sprinkler riser.

15.20.090 Additional Residential Sprinkler Locations

Section 903.3.1.5, CFC is added to read as follows:

The installation of a residential fire sprinkler system shall conform to the following:

1. Sprinklers shall be required in all restrooms, bathrooms, powder rooms, and toilet rooms regardless of their size.
2. Sprinklers shall be required throughout carports and garages.
Exception: Detached carports and garages less than 2,000 square feet in area and separated from residential buildings complying with Section 503.1.2 of the building code and assuming a property line between all other structures.
3. Sprinkler coverage shall be provided in the following locations:
 - a. Attic access openings
 - b. Areas of attics and crawl spaces containing storage, mechanical and/or electrical equipment.

15.20.095 Signs

Sections 2703.6.1, IFC is added to read as follows:

Two NFPA 704 diamonds shall be placed on buildings so that they are clearly visible from at least two directions of travel.

1. The signs shall be at least fifteen inches by fifteen inches (15" x 15"). The signs

- shall not be placed on windows.
2. When NFPA 704 diamonds are required for the interior doors, the signs shall be applied to the doors at a level no higher than the doorknob. The signs for the interior doors shall be at least six inches by six inches (6"x 6").
 3. The fire code official may require fewer or more NFPA diamonds if the building configuration or size makes it reasonably necessary.

15.20.100 Unlawful burning and deposits of hazardous materials-
Liability for costs

- a) The fire department is authorized to clean up or abate the effects of any hazardous material deposited upon or into property or facilities of the city; and any person or persons who intentionally or negligently caused such deposit shall be liable for the payment of all costs incurred by the fire department as a result of such cleanup or abatement activity. The remedy provided by this section shall be in addition to any other remedies provided by law.
- b) For the purposes of this section, "hazardous materials" shall be defined as any substances or materials, in a quantity or form which, in the determination of the fire chief or his authorized representative, poses an unreasonable and imminent risk to life, health or safety of persons or property or to the ecological balance of the environment, and shall include, but not be limited to, such substances as explosives, radioactive materials, petroleum or petroleum products or gases; poisons, etiologic (biologic) agents, flammables and corrosives.
- c) Any person in violation of Section 17.04.020 which results in fire damage to persons or property shall be charged as unlawfully burning and is liable for costs incurred by the fire department and other responding county or state fire agencies for suppression activities.
- d) For purposes of this section, costs incurred by the fire department shall include, but shall not necessarily be limited to, the following: actual labor costs of city personnel, including workers' compensation benefits, fringe benefits, administrative overhead; cost of equipment operation, cost of materials obtained directly by the city; and cost of any contract labor and materials.

15.20.105 Appeal and review

- a) The chief of the fire department shall be charged with the duty and responsibility of administering the provisions of this chapter.
- b) Whenever it is provided herein that certain things shall be done in accordance with the order, opinion or approval of the chief of the fire department, such order, opinion or approval shall be complied with; provided, any person aggrieved thereby, or believing that such order, opinion or approval is erroneous or faulty, may appeal, except as otherwise provided in this chapter, to the city manager in writing within ten (10) days after such order, opinion or approval has been given, and the city manager shall affirm, modify or reverse the same within forty-eight hours thereafter; provided further that, if dissatisfied with the city manager's ruling thereon, the applicant may appeal to the city council at its next regular meeting thereafter, and the decision of the council shall be final and conclusive. In the meantime, except in the cases of immediate hazard, the order, opinion or approval shall be deemed suspended until such person has exhausted his or her right of appeal as herein provided.

- c) Applications for appeal specific to "Request for alternate means of protection" in buildings regulated by the Office of the State Fire Marshal shall utilize the process identified in Section 1.11.2.5 in Chapter 1 of this Code.

15.20.110 (Reserved)
 15.20.115 (Reserved)
 15.20.120 (Reserved)
 15.20.125 (Reserved)
 15.20.130 (Reserved)
 15.20.135 (Reserved)
 15.20.140 (Reserved)
 15.20.145 (Reserved)
 15.20.150 (Reserved)

15.20.155 Fire lanes which are not fire apparatus access roads

Nothing in the California Fire Code shall prevent the town from designating or maintaining a street as a "fire lane" which does not meet the requirements of a fire apparatus access road under the California Fire Code. (Ord.637 § 2 (part), 2002)

15.20.160 Amendment procedure

When, in the judgment of the central county fire department of the town, it is reasonably necessary to amend the provisions of the California Fire Code due to local climatic, geological or topographical conditions, the fire chief shall prepare and submit the proposed amendments to the city council for consideration at the next regularly scheduled council meeting. Before adopting any changes or modifications in the requirements contained in the provisions published in the California Fire Code, or in any other regulations adopted hereunder, the city council shall make an express finding that such modifications or changes are reasonably necessary because of local climatic, geological, or topographical conditions. Such finding shall be made available as a public record. Upon approval by the city council and filing of the council's findings with the State Department of Housing and Community Development, such amendments shall be added to and become a part of the provisions of this chapter. (Ord. 661 § 9 (part), 2005: Ord. 637 § 2 (part), 2002)

15.20.165 Severability

- A. Nothing contained in this chapter shall be held to modify, amend, repeal, or otherwise supersede, whether in whole or in part, those certain laws and regulations of the town generally and customarily known as the Hillsborough zoning laws and regulations (which, inter alia, establishes a base zoning district known as the residence district, encompassing all the territory of the town; regulate the use, size and location of buildings or improvements; regulate the minimum area and frontage of residential lots; and provide for enforcement and penalties for violation thereof), as originally passed and adopted July 11, 1955, with all amendatory laws and regulations adopted thereafter.
- B. This chapter shall not modify, amend, repeal, or otherwise affect any laws of the town hereafter enacted in substitution or amendment of the zoning regulations.
- C. Whenever any provision of this chapter is found to conflict with the zoning regulations, or of any laws hereafter enacted in amendment or substitution thereof,

the provisions of such zoning regulations or of any such amendatory or superseding laws shall control over this chapter (Ord. 637 § 2 (part), 2002)

15.20.170 Regulations of other agencies

The fire chief or his duly authorized representatives are empowered and directed to invoke the requirements and regulations of the National Board of Fire Underwriters, Underwriters Laboratories, Inc., the California State Fire Marshal, the United States Bureau of Standards, the Industrial Accident Commission of the state of California, and the California Health and Safety Code or any other recognized authority, in any and all cases of fire hazards not specifically covered in any provisions of this chapter or other laws and regulations of the town, all of which have been published in code form and copies of which are on file with the fire chief and the city clerk. (Ord. 637 § 2 (part), 2002)

15.12.180 Promulgation of editions of the California Fire Code and International Fire Code

As successive editions of the California Fire Code and International Fire Code are promulgated and incorporated by reference in the California Building Standards Code, the building department and or fire department, under the guidance and direction of the building official and fire chief, shall review the provisions of the new code in order to determine whether they are consistent with the provisions of the California Fire Code and International Fire Code then in force as modified by the provisions of this chapter. The building official and or fire chief shall submit a list of recommendations with respect to such changes (if any) to the city council. Upon review and adoption by the city council, according to the procedure set above, such revised version of the California Fire Code and International Fire Code, together with all amendments thereto which are recommended by the building official and or fire chief and/or required by the provisions of this chapter, shall govern all buildings and construction within town limits.

Section 14. Title 15.80 of the Hillsborough Municipal Code is amended as follows:

Chapter 15.21

WILDLAND-URBAN INTERFACE CODE, 2009 EDITION

Sections:

15.21.010	Purpose
15.21.020	Adoption
15.21.030	Amendment of International Wildland-Urban Interface Code, 2009 edition
15.21.040	Appeals
15.21.050	Penalties
15.21.060	Definitions
15.21.070	Declaration
15.21.080	Driveways
15.21.090	Special Building Construction Regulations
15.21.100	Amendment Procedures
15.12.110	Promulgation of editions of the WUI Code

15.21.010 Purpose

The purpose of this chapter is to promote the public health, safety, and welfare by helping prevent the spread of fire from the town's wildland areas to the town's inhabited areas and vice versa and to provide a system for the issuance of permits and collection of fees in furtherance of these purposes, all of which is consistent with Action PS-1.3 of the town's general plan, which provides, *inter alia*, that "The town will work with the central county fire department to review and update, if necessary, the town's and Department's regulations and approach regarding fire protection within Hillsborough to ensure adequate fire protection. Since the town is mainly residential, the focus of this review will be on reducing the risk of fire to and resulting from individual residential properties."

15.21.020 Adoption

A. The town adopts and incorporates, as fully as if set out at length herein, the International Wildland-Urban Interface Code, 2009 edition, known as the Wildland-Urban Interface Code ("WUI"), as published by the International Code Council, but not including Chapter 5 and including Appendices A and B (but not including Appendices C, D, E, F, and G which are not adopted), for regulating and governing the mitigation of hazard to life and property from the intrusion of fire from wildland exposures and fire from adjacent structures and for preventing structure fires from spreading to wildland fuels and for the issuance of permits and collection of fees therefore. The provisions of the WUI (references to which shall be deemed to include the adopted Appendices), as amended herein, shall be controlling within the town.

B. A copy of the WUI, together with a copy of Section 15.21 of the Hillsborough Municipal Code, as may be amended from time to time, or successor provision, shall at all times be kept on file in the office of the City Clerk of the town of Hillsborough.

C. In the event of any conflict or inconsistency between the provisions of the Hillsborough Municipal Code and the WUI, that requirement which establishes the higher degree of safety, in the good faith judgment of the fire chief of the central county fire department, shall control.

D. Any work approved by the architecture and design review board or having a valid building permit after the effective date of this ordinance shall be subject to these requirements.

E. Specific parcels of wildland-urban interface areas shall be as shown on the wildland area interface map. The wildland-urban interface areas shall include: (1) All parcels identified as Very High Fire Hazard Severity Zones as recommended by the Director of California Department of Forestry and Fire Protection and as designated on a map titled "Fire Hazard Severity Zones in LRA, Hillsborough", and (2) All parcels within 400 feet of property designated as town "Open Space".

15.21.030 Amendment of International Wildland-Urban Interface Code, 2009 edition.

The WUI is hereby amended in its application to the Town of Hillsborough as set forth in Sections 15.21.040 through 15.21.100.

15.21.040 Appeals

Section 106.1 and 106.2 are deleted and replaced with the following:

If the fire code official disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of this chapter do not apply or that the true intent and meaning of this chapter have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the code official to the city manager of the town within ten (10) days after such order, opinion or approval has been given. The city manager shall affirm, modify or reverse the same within forty-eight hours thereafter; provided that, if dissatisfied with the city manager's ruling thereon, the applicant may appeal to the city council at its next regular meeting thereafter, and the decision of the council shall be final and conclusive. In the meantime, except in the cases of immediate hazard, the order, opinion or approval shall be deemed suspended until such person has exhausted his or her right of appeal as herein provided.

15.21.050 Penalties

A new Section 109.5 is added to read as follows:

Any person who violates any provision of this chapter, or who fails to comply therewith, shall be guilty of a misdemeanor, punishable as set forth in Chapter 1.08. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all persons shall be required to correct or remedy such violations or defects promptly.

15.21.060 Definitions

Section 202 is amended by adding the following definition:

SUBSTANTIAL REMODEL: The renovation of any structure, which combined with any additions to the structure, affects the Exterior Wall Plain Surfaces greater than fifty percent of the existing exterior wall area of the structure.

“Affects the Exterior Wall Plain surfaces” means either that no studs remain or that if some studs remain, the wall except for the studs has been stripped bare such that one can see through the wall. Any portion of an exterior wall so described shall be included in the calculation. This definition does not apply to the replacement and upgrading of residential roof coverings

15.21.070 Declaration

Section 302.1 is deleted and replaced with the following:

The city council for the town of Hillsborough shall declare the wildland-urban interface areas within the jurisdiction. The wildland-urban interface areas shall be based on the Very High Fire Hazard Severity Zones (VHFHVS) as recommended by the Director of the California Department of Forestry and Fire Protection. In addition to those VHFHVS areas, the town of Hillsborough includes all parcels that are within four-hundred feet of any designated town Open Space.

15.21.080 Driveways

Section 403.2 is amended as follows:

Driveways shall be provided when any portion of an exterior wall of the first story of a building is located more than 150 feet (45 720 mm) from a fire apparatus access road. Driveways shall provide a minimum unobstructed width of 14 feet (4268 mm) and a minimum unobstructed height of 13 feet 6 inches (4115 mm). Driveways in excess of 150 feet (45 720 mm) in length shall be provided with turnarounds. Driveways in excess of 200 feet (60 960 mm) in length and less than 20 feet (6096 mm) in width shall be provided with turnouts in addition to turnarounds.

Unless otherwise approved by the fire department, all new or reconfigured driveways shall have a minimum width of fourteen (14) feet (HMC §12.12.050(E)), with a maximum slope of 16%, except that the first fifteen (15) feet shall have a slope no greater than 5%. Please also see the fire department Requirements listed below.

A driveway shall not serve in excess of five structures.

Exception: When such driveways meet the requirements for an access road in accordance with the International Fire Code.

Driveway turnarounds shall have inside turning radii of not less than 30 feet (9144 mm) and outside turning radii of not less than 45 feet (13 716 mm). Driveways that connect with a road or roads at more than one point may be considered as having a turnaround if all changes of direction meet the radii requirements for driveway turnarounds.

Driveway turnouts shall be an all-weather road surface at least 10 feet (3048 mm) wide and 30 feet (9144 mm) long. Driveway turnouts shall be located as required by the code official.

Vehicle load limits shall be posted at both entrances to bridges on driveways and private roads. Design loads for bridges shall be designed to support the weight of apparatus at no less than 65,000 pounds.

15.21.090 Special Building Construction Regulations

Chapter 5 of the WUI is deleted in its entirety and replaced with Chapter 7A , Title 24, Part 2 California Building Code, 2010 Edition.

15.21.100 Amendment procedure

When, in the judgment of the building department or the central county fire department, it is reasonably necessary to amend the provisions of the WUI due to local climatic, geological, or topographical conditions, the fire chief of the central county fire department shall prepare and submit the proposed amendments to the city council for consideration. Before adopting any changes or modifications in the requirements contained in the provisions published in the WUI, or in any other regulations adopted hereunder, the city council shall make an express finding that such modifications or changes are reasonably necessary because of local climatic, geological, or topographical conditions. Upon approval by the city council and filing of the city council's findings with the State Department of Housing and Community Development, such amendments shall be added to and become a part of the provisions of this chapter.

15.12.110 Promulgation of editions of the WUI Code

As successive editions of the WUI Code are promulgated and incorporated by reference in the California Building Standards Code, the building department and or fire department, under the guidance and direction of the building official and fire chief , shall review the provisions of the new code in order to determine whether they are consistent with the provisions of the WUI Code then in force as modified by the provisions of this chapter. The building official and or fire chief shall submit a list of recommendations with respect to such changes (if any) to the city council. Upon review and adoption by the city council, according to the procedure set above, such revised version of the WUI Code, together with all amendments thereto which are recommended by the building official and or fire chief and/or required by the provisions of this chapter, shall govern all buildings and construction within town limits.

Section 15. Title 15.80 of the Hillsborough Municipal Code is amended as follows:

Chapter 15.80

REFERENCE STANDARDS

Sections:

15.80.010	Purpose
15.80.020	Adoption
15.80.030	Amendment of the Reference Standards - None
15.80.040	(Reserved)
15.80.050	(Reserved)
15.80.060	(Reserved)
15.80.070	(Reserved)
15.80.080	(Reserved)
15.80.090	Amendment procedure
15.80.100	Promulgation of updated of Chapter 35 Reference Standards

15.80.010 Purpose

This chapter lists the standards that are referenced in various sections of this document. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and title, and the section or sections of this document that reference the standard. The purpose of this chapter is to regulate materials. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and reference codes and standards, the provisions of this code shall apply

15.80.020 Adoption

A. The rules, regulations, and standards printed in the Reference Standards, as incorporated by reference in the California Building Standards Code are hereby adopted as the rules, regulations, and standards for the town of Hillsborough as to all matters contained therein, except as otherwise provided herein.

B. One copy of the Reference Standards shall at all times be kept on file at the town of Hillsborough Building Department. The copy shall be accompanied by copies of Hillsborough Municipal Code Chapter 15.80 (as well as any additional, subsequent amendments) to show the town of Hillsborough amendments to the Reference Standards

C. In the event there is any conflict or inconsistency between the provisions of the Hillsborough Municipal Code and the Reference Standards when applied to any particular case, that requirement which establishes the higher degree of safety shall be complied with unless otherwise specifically stated in the Hillsborough Municipal Code.

D. No provision of the Reference Standards, as amended hereby, shall be deemed to supersede any other provision of the Hillsborough Municipal Code.

15.80.030	Amendment of Reference Standards - None
15.80.040	(Reserved).

- 15.80.050 (Reserved)
- 15.80.060 (Reserved)
- 15.80.070 (Reserved)
- 15.80.080 (Reserved)

15.80.090 Amendment procedure

When, in the judgment of the Building Department, it is reasonably necessary to amend the provisions of the Reference Standards due to local climatic, geological, topographical, or environmental conditions, the building official shall prepare and submit the proposed amendments to the city council for consideration at the next regularly scheduled city council meeting. Before adopting any changes or modifications in the requirements contained in the provisions published in the Reference Standards, or in any other regulations adopted hereunder, the city council shall make an express finding that such modifications or changes are reasonably necessary because of local climatic, geological, topographical, or environmental conditions. Such finding shall be made available as a public record. Upon approval by the city council and filing of the city council's findings with the State Department of Housing and Community Development, such amendments shall be added to and become a part of the provisions of this chapter.

15.80.100 Promulgation of updated editions of the Reference Standards

As successive editions of the Reference Standards are promulgated and incorporated by reference in the California Building Standards Code, the Building Department, under the guidance and direction of the building official, shall review the provisions of the new code in order to determine whether they are consistent with the provisions of the Reference Standards then in force as modified by the provisions of this chapter. The building official shall submit a list of recommendations with respect to such changes (if any) to the city council. Upon review and adoption by the city council, according to the procedure set above, such revised version of the Reference Standards, together with all amendments thereto which are recommended by the building official and/or required by the provisions of this chapter, shall govern all buildings and construction within town limits.

Section 16. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be unconstitutional or otherwise invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The city council of the Town of Hillsborough hereby declares that it would have adopted the remainder of this ordinance, including each section, subsection, sentence, clause, phrase, or portion irrespective of the invalidity of any other article, section, subsection, sentence, clause, phrase, or portion.

Section 17. This ordinance shall be printed and posted upon the three official bulletin boards of the Town of Hillsborough and shall be effective thirty days after adoption.

MAYOR OF THE TOWN OF
HILLSBOROUGH

ATTEST:

City Clerk

ORDINANCE NO. _____ of the TOWN OF HILLSBOROUGH
introduced on _____, 2010, and adopted on _____, 2010, by the
following vote of the City Council:

AYES: Council Members _____

NOES: Council Members _____

ABSENT: Council Members _____

ABSTAIN: Council Members _____